

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT DIVISION  
CIV. NO. B 038975  
(S.Ct. No. C420153)

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CHURCH OF SCIENTOLOGY OF CALIFORNIA  
and MARY SUE HUBBARD,

Plaintiff-Petitioners,

- against -

GERALD ARMSTRONG,

Defendant.

---

CHURCH OF SCIENTOLOGY OF CALIFORNIA  
and MARY SUE HUBBARD,

Petitioners

- against -

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES,

Respondents.

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BENT CORYDON, Real Party in Interest

---

Response From the Superior Court of California  
County of Los Angeles  
Judge Bruce R. Geernaert

---

OPPOSITION TO PETITION FOR WRIT OF SUPERSEDEAS  
OR OTHER STAY ORDER  
(FILED UNDER SEAL)

---

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## INTRODUCTION

Prior to the commencement of these proceedings, because the Armstrong file was sealed, Respondent-Real Party in Interest CORYDON was not aware that all the documents in which privacy interests were asserted, including even those admitted as Exhibits at trial, were returned to Petitioner pursuant to stipulation. See Stipulated Sealing Order, Exhibit A. Under these circumstances, and in light of the fact that the individual who authored or was the subject of the documents in the Armstrong litigation, L. Ron Hubbard, is deceased, Petitioners' claims that important privacy interests will be irreparably harmed if the court record is unsealed is either frivolous or a bad faith tactic to cover up other matters that will be revealed by the Armstrong files.

Until Respondent-Real Party in Interest has more fully examined the temporarily unsealed file, the only thing certain is that the court file below contains only the public records of a hotly contested litigation that received substantial public attention. All the documentation about which the litigation centered, (hereinafter the Archive Documents), including the exhibits submitted at trial, have been hidden away from public view by Petitioners, even though they may have a substantial bearing on other lawsuits in which the Church of Scientology is a party. Under these circumstances, California courts have determined that "it is clearly improper, even on stipulation of the parties, for the court to issue an order designed not to

preserve the integrity and efficiency of the administration of justice [citation] but to subvert public policy." Mary R. v. B&R Corp. (1983) 149 Cal.App.3d 308, 316, 196 Cal.Rptr. 871, 876. Furthermore, insofar as the record below shows no court determination that each of the voluminous documents were subject to any privacy privileges (with a few exceptions discussed infra), all the Archive Documents in the Armstrong case, but especially those that were admitted as exhibits or marked for identification in the Armstrong trial, should be ordered returned to the Court and be subject to inspection by interested parties.

#### ARGUMENT

##### I

PETITIONERS HAVE NOT SHOWN THAT THE COURT FILES SHOULD REMAIN SEALED OR SHOULD HAVE BEEN SEALED IN THE FIRST PLACE.

"Judicial records are historically and presumptively open to the public and there is an important right of access which should not be closed except for compelling countervailing reasons." Pantos v. City & County of San Francisco (1984) 151 Cal.App.3d 258, 262-263, 198 Cal.Rptr. 489 (emphasis added). Accord, Estate of Hearst (1977) 67 Cal.App.3d 777, 136 Cal.Rptr. 821.

Exceptions to this rule should be limited to instances where the party seeking to deny public access establishes "compelling reasons why and to what extent [the] record should be made private." Mary R., supra, 149 Cal.App.3d at 317. Contrary to

this standard, there was no document-by-document determination to overcome the presumption that the court files should be open or to determine that sealing was warranted. See, Transcript of Proceedings attached hereto as Exhibit B. Rather, the records herein were sealed en masse to facilitate a settlement without reference to the public interest. Consequently, it is ironic that Petitioners rely on United States v. Hubbard (D.C.Cir. 1980) 650 F.2d 293, for the proposition that the unsealing of documents requires a particularized examination of individual documents (see Petition at 15), when there was never a particularized review to cause the Armstrong court files to be sealed in the first place.<sup>1/</sup> Furthermore, as to the documents admitted into evidence or marked for identification, the trial court expressly determined that they should be kept matters of public record. Yet they too have been removed from the court file even though the court's Memorandum of Intended decision, attached hereto as Exhibit "K", stated:

"All exhibits received in evidence or marked for identification, unless specifically ordered sealed, are matters of public record and shall be available for public inspection or use to the same extent that any such exhibit would be available in any other lawsuit. In other words they are to be treated henceforth no differently than similar exhibits in other cases in Superior Court. Furthermore, the "inventory list and

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<sup>1/</sup> However, the Court found thirteen of the Archive Documents to be subject to one or another privilege. See Minute Order February 11, 1985 attached hereto as Exhibit C and United States v. Zolin (9th Cir. 1987) 809 F.2d 1411, 1413. At the present time, six of those documents remain under seal pursuant to Judge Geernaert's November 30, 1988 order. The remainder, after return to the Court from the United States government, have been returned to Petitioner, depriving all interested parties of an opportunity to determine whether any privilege should attach against their interests.

description," of materials turned over by Armstrong's attorneys to the court, shall not be considered or deemed to be confidential, private, or under seal.

All other documents or objects presently in the possession of the clerk (not marked herein as court exhibits) shall be retained by the clerk, subject to the same orders as are presently in effect as to sealing and inspection, until such time as trial court proceedings are concluded as to the severed cross complaint. For the purposes of this Judgment, conclusion will occur when any motion for a new trial has been denied, or the time within such a motion must be brought has expired without such a motion being made. At that time, all documents neither received in evidence, nor marked for identification only, shall be released by the clerk to plaintiff's representatives." Decision, pp.2-3.

Petitioners have argued that the requirement of the sealing as part of the settlement agreement warrants maintaining the seal. However, the wholesale sealing of the record solely to promote a settlement does not meet the criteria established in Pantos, Hearst and Mary R. Furthermore, given that the trial court's judgment during the underlying proceedings was not to seal the record in toto, there is no determination in the underlying record that supports Petitioner's claims to privacy in the court records. Indeed, rather than supporting allegations of important privacy interests, counsel's review of the temporarily unsealed files as of the date this brief is being prepared suggests that the motive for sealing the file is merely to cover up undesirable conduct of Petitioners and their counsel that were revealed during their prosecution of the Armstrong case. (See Declaration of Toby L. Plevin attached hereto). For example:

/ / /



1. The mutual release and settlement agreement with Armstrong was to be made part of the court records but was never filed. See Exhibit D. The failure to file that document may in fact be related to the issues regarding obstruction of justice that are implicit in that agreement as suggested by co-counsel, Paul Morantz, in the Response to Petition for Writ of Supersedeas filed by him. A copy of the Mutual Release is attached hereto as Exhibit "E".

2. Neither the sealing order of December 11, 1986, nor the oral proceedings regarding the sealing order, specified that documents given under seal to the United States as a result of the court's February 11, 1985 Minute Order were to be returned to Petitioner. See Minute Order attached hereto as Exhibit C; Transcript of Proceedings of December 11, 1986, attached hereto as Exhibit B; and Order of December 11, 1986, attached hereto as Exhibit F. However, after those were returned to the trial court, they were returned to Petitioner. See Exhibit G, letter and Declaration of Richard E. Greenberg, and Exhibit H, Receipt of Exhibits dated March 14, 1988. It should be noted that even though Exhibit 500-KKK, was determined by the court not to be privileged, it was returned to Petitioner along with the other documents.

3. At this point in the review of the underlying file, counsel has seen copies of Church documents demonstrating an intentional misuse of a prior Church member's confessional

(PC) files as part of a deliberate litigation strategy against that person. See Exhibit I. This Exhibit is a GO (Church Intelligence) order on how to handle the lawsuit brought by LaVenda Von Schaick against the Church. On page 2 it states:

"Get Lavenda's pc folder FES'd [summarized] and a message written from the C/S [case supervisor] which indicates her current state of case and the correct BPC on her [this roughly translates to "a correct reading on what's the cause of any emotional upheaval]. LaVenda may have her current pc folder so care must be taken to ensure (sic) this is an accurate [report]."

On page 3, possible areas of blackmail are mentioned and encouraged.

There is also a minute order of the court concluding that violating the PC files was the practice of the Church. See Exhibit J. This finding was also contained in the Memorandum of Intended Decision. See Exhibit K, pp.7-8. Indeed, the court stated that through use of these or other security files

". . . the Church or its minions is fully capable of intimidation or other physical or psychological abuse if it suits their ends. The record is replete with evidence of such abuse." (Emphasis added.)

We must ask this Court to consider whether this type of document should be sealed from public inspection.

4. The file also contains Church documents demonstrating a pattern of extensive "intelligence" operations respecting its members. See Exhibits I and L.

5. The file contains a Church policy statement written by L. Ron Hubbard admitting with pride that its processes successfully brainwash its adherents. See Exhibit M.

6. The file contains a Church policy statement that the purpose of a lawsuit "is to harass and discourage rather than to win", and that the Church should press on with lawsuits even knowing, at the outset, that its position has no merit. Furthermore, the objective of the lawsuit is "if possible, of course, ruin (the adversary) utterly". See Exhibit N.

7. The court file includes a motion filed by Petitioner captioned "Unopposed Motion to Withdraw Memorandum of Decision" which was filed after settlement was reached and the first appeal was dismissed. Attached to the Unopposed Motion is a statement by counsel for Mr. Armstrong, on the letterhead of Church counsel, Lenske, Lenske & Heller, indicating agreement with that motion. The filing of the motion and the statement of non-opposition suggests a deliberate effort to undermine the potential collateral

estoppel effect of the court's decision which would therefore defeat important public and judicial policies implicit in the doctrine of collateral estoppel, including the protection of adversaries from vexatious litigation. See Montana v. United States (1979) 440 U.S. 147, 153-154, 99 S.Ct. 970, 973-974. The Unopposed Motion is attached hereto as Exhibit O. The Motion was denied. See Exhibit P.

To be sure, as of this date, counsel has had time only to review approximately one-quarter of the Armstrong file. It is possible that documents revealing a legitimate privacy interest might yet surface as this review continues. On the other hand, counsel suggests that is more likely that the remainder of the court file will yield additional blemishes upon the face of Scientology and the conduct of its counsel. Thus, it appears that the exposure of that conduct, rather than the asserted privacy privilege, is the motive for the sealing of the file. Indeed, when combined with the in-court statement of counsel for the Church at the hearing on the stipulated sealing order, the picture that emerges suggests nothing less than a deliberate policy of obstruction of justice. At that hearing, counsel for the Church stated: "[Sealing] is the procedure that the church has insisted on and all courts have agreed to in various other Scientology cases involving Mr. Flynn and others which have been settled." Reporter's Transcript of Proceedings, December 11, 1986, page 6 attached hereto as Exhibit B. In fact, a close review of the colloquy on that date reveals not one shred of concern for privacy. The only proffered explanation for the stipulation for

sealing was counsel's statement above to the effect that "that's the way we do things."

The issues suggested by the above list demonstrate the strongest possible public interest in access to the Armstrong files, not only as they now exist, but also to the exhibits admitted or marked for identification at trial<sup>2/</sup> (which have been returned to the Church) as well as all the documents returned to the Church. The Court should also consider remedial measures regarding all files similarly sealed as a condition of settlement with parties adverse to the Church of Scientology.

## II.

ASSUMING ARGUENDO THE EXISTENCE OF VALID  
PRIVACY INTERESTS, CORYDON HAS DEMONSTRATED A  
NEED SUFFICIENT TO REVIEW THE FILE

Assuming arguendo that the sealing of the Armstrong file was appropriate to begin with, the burden on a party who seeks to open the file has been met by Mr. Corydon even if that burden is as substantial as Petitioners have maintained. Specifically, Petitioners claim that the correct standard is that the moving party demonstrate "a realistic expectation of relevance" in the

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<sup>2/</sup> According to Judge Breckenridge's decision, see Exhibit K attached hereto, the exhibits admitted into evidence were No. 500-40; JJJ; KKK, LLL, MMM, NNN, OOO, PPP, QQQ, RRR and 500-QQQQ. The exhibits marked for identification were JJJJ; Series 500-DDDD, EEEE, FFFF, GGGG, HHHH, IIII, NNNN-1, OOOO, ZZZZ, CCCCC, GGGGG, IIIII, KKKKK, LLLLL, OOOOO, PPPPP, QQQQQ, BBBBBB, OOOOOO, and BBBBBBB.

documents rather than "an idle hope" that the documents will be useful. (Petition, p. 30, citing, United States v. Zolin (9th Cir. 1987), 809 F.2d 1411, 1414, citing, United States v. Goldman (9th Cir. 1980), 637 F.2d 664, 667.)

In the case captioned Corydon v. The Church of Scientology, et al., L.A.S.C. Case No. 694401, CORYDON alleges that the policies of the CHURCH OF SCIENTOLOGY directed against him include extensive conspiratorial "fair game" tactics. (See Third Amended Complaint attached hereto as Exhibit Q.) Specifically, he alleges:

"9. The business of the Church of Scientology International, Inc. (hereinafter "the Church") and its affiliated entities as more fully described hereinafter, is the marketing and selling Dianetics and other the books of L. Ron Hubbard; profiting from such sales; marketing an extraordinarily expensive series of courses and counselling sessions by using fraudulent guarantees of improved intelligence, health and well-being. Through these counseling sessions, personal secrets are divulged in a confessional fashion and mind control techniques are utilized which entrap people into spending even more money on more courses and auditing, and in many instances, to persuade them into deserting their families and turn them into drones for Scientology. Persons who become such drones by joining the staff of one of the many subordinate organizations of Scientology are subject to further degradation for failure to meet goals set for sales of courses, clerical jobs, menial tasks -- none of which are doctrinal in nature. Such degradation includes imprisonment at secret Scientology facilities, sleep deprivation, food deprivation and physical punishment, i.e., running around a flag pole for 10 hours a day.

\* \* \*

14. Subsequent to Hubbard's death, the control of Scientology passed from Hubbard to David Miscavige, Norman Starkey, and Lyman Spurlock (hereinafter sometimes referred to as "Scientology Managing Agents").

/ / /

\* \* \*

19. 'Fair Game' is a Defendant Church doctrine and policy directing that any individual or employee who expresses a lack of loyalty or a refusal to comply with Church policy or the orders of any of the Managing Agents or their subordinates is open to any form of harassment, economic ruin or subject to any covert or notorious plan purposely designed to cause emotional and physical harm and/or financial ruin no matter how invasive or despicable the method employed. This Church doctrine champions the destruction of an individual's business or reputation, by a variety of tactics including framing false charges of criminal acts, intentional interference with business contracts, and with personal relationships, and other intentional acts.

20. In 1981,<sup>3/</sup> because of alleged infractions of Church rules, Plaintiff was coerced by the Church Defendants, acting by and through certain individual Scientologists, to sign over and transfer his Riverside franchise to Defendants so as to avoid the plight of 'Fair Game.' Plaintiff was not permitted to return to control in Riverside until November 1981.

\* \* \*

24. Subsequent to this breaking away, Hubbard and his successors, Miscavige, Starkey and Spurlock conspired to undertake a campaign to harass and defame Plaintiff and to destroy the new church he had established, the Church of Sciologos. This conspiracy was commenced when in December 1982, the Church Defendants ordered certain individuals to sue Plaintiff and others and to claim ownership of the building belonging to the Church of Sciologos.

25. The conspiracy was furthered in late 1985 when, at a meeting attended by Miscavige, Starkey and Spurlock and other, David Miscavige ordered the Plaintiff be physically attacked and his group disrupted.

26. This plan was carried out on numerous occasions in 1985 and 1986 when Plaintiff was physically attacked. In February 1986, a high ranking Scientologist named Dennis Clark

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<sup>3/</sup> This is a typographical error in the complaint and should read "In 1978. . . "

entered the Church of Sciologos looking for Plaintiff and, when he couldn't find him, physically attacked another person, Marc Chacon.

27. This plan was carried out by repeated invasions into the Church of Sciologos by Scientologists posing threats to persons legitimately therein, taking photographs of individuals whose privacy was intruded on, climbing on the roof, and by provoking fights. The most recent of these events occurred in April 1988.

28. In 1985 Plaintiff began writing a book about Scientology and its founder, L. Ron Hubbard, which was published in August, 1987 under the title L. Ron Hubbard: Messiah or Madman?. Hubbard and the Managing Agents (Miscavige, Starkey and Spurlock) received information about this from spies planted with Sciologos, Plaintiff's new church, and from Plaintiff's co-author, Hubbard's estranged son, Ron DeWolf."

The actions alleged in the complaint, as quoted above, are examples of the "fair game" policy created by the founder of Scientology, L. Ron Hubbard, which dictates that an enemy of the Church "may be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist. May be tricked, sued, lied to or destroyed." (See Exhibit R) In his Memorandum of Intended Decision in the underlying case, Judge Breckenridge found that the "fair game" policy to be an active Scientology policy. (See Memorandum of Intended Decision, attached hereto as Exhibit K, p. 8.) Given Judge Breckenridge's findings, Mr. Corydon's assertion that he has been the target of "fair game" strategies demonstrates an important need for access to the underlying court file that meets the Zolin standard of a "realistic expectation" of finding relevant material.

/ / /



The underlying case, however, promises even more fruitfulness for this litigant. Specifically, the court found that L. Ron Hubbard personally ran the CHURCH OF SCIENTOLOGY, notwithstanding its myriad related corporate entities in which Hubbard had no corporate positions. (See Memorandum of Intended Decision, p. 9.) Thus, the evidence in the underlying file is of great importance to Mr. Corydon's lawsuit in which he asserts that the numerous corporate structures within the CHURCH OF SCIENTOLOGY are only shells, operated by and at the direction of a single hand, or since Hubbard's death, at the hand of his three successors, David Miscavige, Norman Starkey and Lyman Spurlock. If this can be demonstrated, then the records of all of the corporate entities can be reached by service on any one of them and they can all be held liable for the fair game strategies implemented by any one of them or on the orders of any one of them. See ¶¶ 12-14 and 24 of the Third Amended Complaint, attached hereto as Exhibit Q.

Given the strength of CORYDON's needs and the corollary paucity of Petitioner's claims when they are deprived of their overblown dressing, there is a powerful need for access to the underlying court documents. Indeed, when it is further observed that the sealing order was based upon a stipulation of the parties, not a result of any finding necessitated by the court, the opening of the file becomes essential.

/ / /

CONCLUSION

In closing, it should be noted that the CHURCH OF SCIENTOLOGY is engaged in substantial litigation in the courts of this and other jurisdictions. Discovery has been extremely difficult for adverse counsel because of the frequency of the Church's claims not to have documents which are in the possession of a theoretically distinct corporation. The continued sealing of the Armstrong files will the assist the CHURCH OF SCIENTOLOGY to perpetuate tactics which, for want of a better word, must only be considered as obstruction of justice. Accordingly, Bent Corydon urges this Court to affirm the decision of Judge Geernaert to open the file below for inspection by whomever of the many persons who have been sued by Scientology needs it. Furthermore, this Court should order Petitioners to return to the court file all of the documents returned to it pursuant to the stipulation of parties for determination as to whether or not a privacy interest exists

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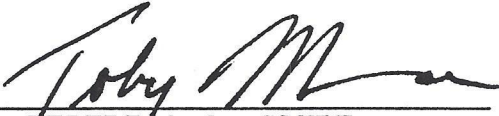
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in any of them except for those documents which were in fact admitted into evidence or marked for admission into evidence to which CORYDON's counsel should have immediate access. Petitioners should also return to the court and counsel for BENT CORYDON should have immediate access to those documents which were delivered under seal to the United States government pursuant to the Minute Order of February 11, 1985.

DATED: January ~~14~~<sup>17</sup>, 1989

SAYRE, MORENO, PURCELL & BOUCHER

  
\_\_\_\_\_  
FEDERICO C. SAYRE  
TOBY L. PLEVIN  
Attorneys for Plaintiffs

DECLARATION OF TOBY L. PLEVIN

I, TOBY L. PLEVIN, declare:

1. I am an attorney licensed to practice law before this Court and an associate of the law firm of Sayre, Moreno, Purcell & Boucher, counsel of record for Real Party in Interest BENT CORYDON herein. If called as a witness, I could competently testify to the matters stated herein.

2. Pursuant to the order of Judge Geernaert unsealing the Armstrong files, the first day I had access to the files was December 30, 1988.

3. On that date and on January 3, 1989, I reviewed approximately 20% of the file.

4. I did not see a copy of the Mutual Release and Settlement Agreement in any of the volumes I reviewed which included all the volumes containing documents relevant to settlement.

5. Most of the Exhibits to Motions I did see are available from other sources, e.g., HCOB July 22, 1956, Exhibit N hereto.

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I declare under penalty of perjury that the foregoing is true and correct. Executed this 4th day of December, 1988 at Los Angeles, California.

  
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TOBY L. PLEVIN  
Declarant

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CHURCH OF SCIENTOLOGY OF CALIFORNIA

ORIGINAL FILED  
DEC 11 1986  
COUNTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA, a California Corporation,

Plaintiff,

v.

GERALD ARMSTRONG,

Defendant.

Case No. C 420153

STIPULATED SEALING ORDER

AND RELATED CROSS-ACTION.

Pursuant to and as a provision of a Settlement Agreement of the parties hereto, which is attached hereto, the parties have entered into the following stipulation:

1. Defendant/Cross-Complainant hereby agreed that and

EXHIBIT A

1 the following records in the Custody of the Clerk:

2 a) All those documents surrendered to the custody of the  
3 Clerk of the Court by Michael Flynn and the law firm of Contos  
4 & Bunch in September 1982, pursuant to the Order of Judge John  
5 J. Cole in the above captioned case, dated September 4, 1982;  
6 and b) all exhibits entered into evidence or marked for  
7 identification at the trial of this case in May - June of 1984.


8 2. The entire remaining record of this case, save only  
9 this order, the order of dismissal of the case, and any orders  
10 necessary to effectuate this order and the order of dismissal,  
11 are agreed to be placed under the seal of the Court.

12 3. It is agreed between the parties that should the Court  
13 require a motion or any further pleadings to effectuate and  
14 sign this Stipulated Sealing Order, the parties will jointly  
15 comply with the Court's further orders, if any.


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1 4. This agreement is effective as of the date of the  
2 dismissal of this case.

3 DATED: 12-8, 1986

4   
5 ~~BRUCE BUNCH~~ JUDIA DRAGOWIC  
6 CONTO & BUNCH  
7 5855 Topanga Canyon Boulevard  
8 Suite 400  
9 Woodland Hills, CA 91367  
10 (818) 716-9400

11 Counsel for  
12 Defendant/Cross-Complainant

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14 JOHN G. PETERSON  
15 PETERSON & BRYMAN  
16 8800 Wilshire Boulevard  
17 Suite 407  
18 Beverly Hills, California 90211  
19 (213) 659-9966

20 Counsel for Plaintiff/Cross-Defendant

21 IT IS SO ORDERED.

22 15 / PAUL G. BRECKENRIDGE, JR. DEC. 11, 1986 Dated  
23 HON. PAUL G. BRECKENRIDGE  
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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 57 HON. PAUL G. BRECKENRIDGE, JR., JUDGE

GERALD ARMSTRONG,  
Cross-Complainant,

vs.

No. C 420 153

CHURCH OF SCIENTOLOGY OF CALIFORNIA,  
Cross-Defendant.

MARY SUE HUBBARD,  
Intervenor.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Thursday, December 11, 1986

APPEARANCES:

For the Cross-Complainant:

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For the Cross-Defendant:

PETERSON & BRYNAN  
By: JOHN G. PETERSON  
8530 Wilshire Boulevard, Suite 407  
Beverly Hills, California 90211

(Appearances  
Continued Inside)

COPY

NANCY L. HARRIS, CSR No. 644  
Official Reporter

EXHIBIT 3

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APPEARANCES: (Continued)

For the Founding  
Church of Scientology  
and Intervenor:

MICHAEL LEE HERTZBERG  
Pro Hac Vice  
275 Madison Avenue  
New York, New York 10016

Also Present:

LAWRENCE E. HELLER

1 LOS ANGELES, CALIFORNIA; THURSDAY, DECEMBER 11, 1986; 4:03 P.M.

2 ---oOo---

3  
4 THE COURT: All right. The parties are here on Armstrong  
5 versus Church of Scientology.

6 MR. FLYNN: We are here.

7 After lengthy negotiations, Your Honor, between  
8 myself and Mr. Hertzberg on behalf of the Church and  
9 Mary Sue Hubbard, we are extremely happy to report to the  
10 court that the court will not have to try this case, this  
11 counterclaim in March.

12 The parties have resolved the case to the satisfac-  
13 tion of Mr. Armstrong and to myself and to Mr. Hertzberg's  
14 client.

15 THE COURT: How about Miss Dragojevic?

16 MS. DRAGOJEVIC: I think I will go along with it.

17 MR. PETERSON: Maybe we should identify ourselves for  
18 the record.

19 THE COURT: Yes, probably a good idea.

20 MR. FLYNN: Michael Flynn for Gerald Armstrong. :

21 MS. DRAGOJEVIC: Julia Dragojevic for Gerald Armstrong.

22 MR. HELLER: Lawrence Heller, and I am here in case there  
23 were any questions. I had a little input in the settlement.

24 MR. PETERSON: John Peterson for the Church of  
25 Scientology of California.

26 MR. HERTZBERG: Michael Lee Hertzberg for Mary Sue  
27 Hubbard, who is the intervenor in the underlying original case

1           MR. FLYNN: Pursuant to the settlement, Your Honor, the  
2 parties have entered into a stipulation which we will provide  
3 the court to have the return of all documents to the Church  
4 with the exception of six documents which are currently under  
5 litigation in United States versus Scientology, the case that  
6 the government is trying to get six exhibits on, and the order  
7 that we provided to the court contemplates the exemption of  
8 those six exhibits.

9           We have also entered into a stipulation with  
10 regard to the sealing of the court records, and I believe  
11 Mr. Hertzberg has copies.

12           MR. PETERSON: I have the original of the stipulations  
13 and the order. I would present it to the clerk for filing  
14 and she could give it to the court. Might want to follow  
15 along.

16           THE COURT: I have read the proposed stipulation and  
17 order that have been submitted. And the question arises in my  
18 mind, what about the -- does this dismissal have anything at  
19 all to do with the underlying case that is presently on  
20 appeal?

21           MR. FLYNN: It doesn't, Your Honor.

22           Certain issues in that case are going to remain  
23 on appeal pursuant to the stipulation of the parties.

24           THE COURT: Well, won't those exhibits have to remain  
25 with the court? As that matter is still on appeal?

26           MR. HERTZBERG: Your Honor --

27           THE COURT: I don't mean the ones that are just sitting

3  
1 marked and received either as an exhibit for identification or  
2 received in evidence in the case.

3 MR. HERTZBERG: I don't believe they all do, Your  
4 Honor.

5 I think that the court of appeal has chosen  
6 certain exhibits, a discrete number of them which they have  
7 before them and they have made that choice, so I don't think --  
8 certainly as Your Honor has recognized, none of the other  
9 documents would be affected, and I don't know how many  
10 documents we are talking about that may be before the court  
11 of appeal --

12 THE COURT: Well, I mean, there is a problem. I don't  
13 know what the court of appeal is going to do.

14 Let's assume they reverse it and send it back for  
15 a new trial. I assume these exhibits will still have to be  
16 used if the case is going to be retried on the underlying  
17 complaint.

18 MR. FLYNN: Pursuant to the issues that are remaining,  
19 Your Honor, I think that the parties' overall stipulation is  
20 such that we will not need those exhibits on any retrial if,  
21 in fact, there is a retrial.

22 I think Mr. Armstrong is satisfied, and I know  
23 I am satisfied, that we won't need them.

24 MR. HERTZBERG: Your Honor, that was a decision that is  
25 part of the agreement that was made, a very important part of  
26 it, may I add an indispensable part of it. And after  
27 Mr. Armstrong consulted with counsel, this is part of what we

1 So they are willing to proceed on that basis, and  
2 I don't think that the court should get involved, frankly.

3 THE COURT: Well, I am just trying to raise an issue  
4 here. I don't want six months downstream or a year somebody  
5 to start screaming, "Where are these exhibits? We need to  
6 retry this case."

7 If the court of appeal does one thing, they  
8 affirm, there may be a petition for hearing with the  
9 California Supreme Court or with the United States Supreme  
10 Court.

11 MR. HERTZBERG: Your Honor, we contemplated all that.

12 That is why these negotiations were so arduous  
13 and time consuming, and we have arrived today, all those  
14 possibilities were discussed between our side and Mr. Flynn,  
15 and each side knows what they are bargaining for here. And  
16 Mr. Armstrong has signed a stipulation for return of sealed  
17 materials and exhibits which is before Your Honor.

18 The order tracks that. It has the additional  
19 language in it that it exempts from the scope of the return  
20 those documents that the federal court might be interested in,  
21 and that is what the agreement was between the parties.

22 THE COURT: What exhibits does the court of appeal  
23 have?

24 MR. FLYNN: I am not sure, Your Honor, but I suppose  
25 having argued the appellate case, I suppose there is a simple  
26 answer, also, to Your Honor's question in light of the  
27 stipulation. The appeals court could always simply request

1 THE COURT: In Los Angeles we call it appellant.

2 MR. FLYNN: The appellant, whoever it is, them.

3 THE COURT: That is with the French, Bostonian or  
4 something.

5 MR. HERTZBERG: Your Honor, I am informed that the court  
6 of appeal asked for 50 documents and they have them. So for  
7 the moment, presumably those could not be returned by the  
8 clerk of this court.

9 THE COURT: Well, it is the parties' agreement, then,  
10 but whatever they have got, the county clerk is no longer to  
11 be custodian of those and they will be returned to the parties  
12 by stipulation of the parties.

13 MR. HERTZBERG: That is what we stipulated to in  
14 writing. That is an integral part of this settlement.

15 MR. PETERSON: And when the 50 documents come back --

16 THE COURT: If it is what the parties want to do, it is  
17 okay with me.

18 MR. PETERSON: And when the 50 documents come back from  
19 the court of appeal, they also will be turned over to the  
20 Church.

21 THE COURT: I think that the court would require a  
22 further joint order or stipulation.

23 In other words, I don't want to turn those over  
24 if a remittitur comes down, regardless of what it is, or the  
25 clerk turns them over without knowing whether or not they  
26 might be further needed.

27 MR. HERTZBERG: We agree to that right now.

1 THE COURT: Just by stipulation of the parties, it can  
2 be released at that time.

3 MR. HELLER: Your Honor, for what little I can give,  
4 this insight was accurate.

5 This was an issue that was discussed at length  
6 between the parties when negotiations were going on.

7 MR. FLYNN: It is apparently contemplated in  
8 paragraph 3 of the proposed order, Your Honor.

9 THE COURT: Well, this implies that immediately when  
10 they are returned that they be immediately turned over to  
11 the Church without any further --

12 MR. FLYNN: That is agreeable.

13 MR. HERTZBERG: That is agreeable.

14 MR. FLYNN: To Mr. Armstrong.

15 MR. HERTZBERG: This is part of this rather complex  
16 process that we have all agreed on.

17 THE COURT: What is this -- under this stipulated  
18 sealing order paragraph 2 provides that the entire remaining  
19 records of this case, save only this order, the order of  
20 dismissal of the case, and then the order necessary to  
21 effectuate this order and the order of dismissal, are agreed  
22 to be placed under seal of the court.

23 What is it that you have in mind, the file  
24 itself?

25 MR. HERTZBERG: Yes, Your Honor. That is the procedure  
26 that the Church has insisted on and all courts have agreed to  
27 in various other Scientology cases involving Mr. Flynn and



1 MR. FLYNN: We settled, Your Honor, several cases in  
2 the federal district court in Tampa, Florida and recently six  
3 cases in the federal district court in Los Angeles.

4 THE COURT: I just want to know what is contemplated so  
5 the clerk won't be running around and --

6 MR. FLYNN: I'd say the entire record, I mean the  
7 court file.

8 THE COURT: There was a reporter's transcript. There  
9 was an original and copies prepared.

10 Of course, those went to the court of appeal.

11 MR. FLYNN: Whatever is in the physical possession of  
12 the court --

13 THE COURT: I guess we are talking just basically this  
14 multiple set of files will be placed under some kind of seal.

15 MR. HERTZBERG: Your Honor, presumably any materials  
16 that come from the court of appeal would then be integrated  
17 under that seal.

18 THE COURT: Yes. That would be so understood.

19 Of course, there have been innumerable people in  
20 the interim who have come forward and examined the file. I  
21 haven't the slightest idea who all those people are, but  
22 certainly we can't go back and retract from them whatever they  
23 have seen or observed or copied.

24 MR. HERTZBERG: We understand, Your Honor.

25 THE COURT: All right. Then, the court will sign the  
26 respective orders.

27 Is that all?

MR. FLYNN: Thank you, Your Honor.

1 THE COURT: I guess we should vacate the trial date.

2 Any other motions?

3 MS. DRAGOJEVIC: Mandatory settlement conference.

4 MR. FLYNN: I am sure Your Honor is very sorry to hear  
5 all this.

6 THE COURT: We wish you all good luck in the future.

7 You are all welcome to come back and try more  
8 cases. Some other subject, perhaps.

9 MR. FLYNN: Being from Boston, I'd like to personally  
10 thank you for all your courtesies in the court.

11 THE COURT: Well, we aim to please.

12 MR. HERZBERG: I don't want to be overly inquisitive,  
13 but has Your Honor signed the order dismissing the case?

14 THE COURT: I signed whatever orders were submitted.  
15 Includes a dismissal.

16 MR. PETERSON: We will verify with the clerk and get a  
17 conformed copy.

18 THE CLERK: Do you have originals of these?

19 MR. HELLER: I think those are all originals.

20 THE CLERK: Originals, but they are copies of documents.

21 MR. PETERSON: I think the problem, some of them were  
22 signed in counterpart.

23 MR. HELLER: We tried to get all signatures on one  
24 because one of them has five or six signatures.

25 THE COURT: Why don't you look over what is there?

26 MR. PETERSON: I think we can work it out with the clerk,  
27 any problems with original versus copy, and take care of it.

28

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 57 HON. PAUL G. BRECKENRIDGE, JR., JUDGE

GERALD ARMSTRONG, )
Cross-Complainant, )
vs. )
CHURCH OF SCIEN TOLOGY OF )
CALIFORNIA, )
Cross-Defendant. )

No. C 420 153

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA )
) ss
COUNTY OF LOS ANGELES )

I, NANCY L. HARRIS, Official Reporter of the Superior Court of the State of California, for the County of Los Angeles, do hereby certify that the foregoing pages, 1 to 6, inclusive, comprise a true and correct transcript of the proceedings held in the above-entitled matter on December 11, 1986.

Dated this 16th day of December, 1986.

Official Reporter , CSR No. 644

Feb. 11, 1985

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

HONORABLE G. REEDENRIDGE, JR. JUDGE

Deputy Sheriff  
Court Attendant

R. HART

Deputy Clerk

M. HARRIS

Reporter

(Parties and counsel checked if present)

J. SALGADO

C 420 153  
CHURCH OF SCIENTOLOGY OF  
CALIFORNIA,  
VS  
GERALD ARMSTRONG,

MARY SUE HUBBARD-INTERVENOR

Counsel for Litt & Stomer for Intervenor  
Plaintiff BY: Michael S. Magnuson  
Peterson & Brynan for Plff  
Counsel for BY: John G. Peterson  
Defendants Michael Lee Hertzberg -Pro Hac  
Vice for Plff and Intervenor  
Overland, Berke, Wesley, Gita,

~~ENCLOSURE~~

Randolph & LeVinas for LeVinas  
BY: Donald C. Randolph  
O'Toole, Bisceglis & Walsh-Pro Hac V  
for plff in Washington case  
Rabinowitz, Boudin, Standard,  
Krinsky & Lieberman -Washington cas:  
BY: Edward Copeland  
United States Attorney  
BY: John W. Toothman and  
Janet M. McClintock  
for moving party

BY: Jeffrey B. O'Toole

NATURE OF PROCEEDINGS:

SECOND NOTICE OF MOTION OF THE UNITED STATES, A NON PARTY, TO INSPECT AND COPY CERTAIN SEALED DOCUMENTS

Motion resumes from December 3, 1984.

Responding party objects to this Court hearing any further matters until the issue of the 170.6 is resolved by the Appellate Court. Request of responding party for a Stay until the "...Appellate Process has run its course", is denied.

Motion argued.

Motion denied as to exhibits 500-4D's through 4i's, 5C's, 5G's, 5i's, 6B's and 6O's; Motion granted as to exhibits 500-4Q's, 5K's, 5L's, 5O's, 5P's and 5Q's. The Court finds a waiver of the privilege and further as to exhibit 500-5K's, said exhibit does not fall within the spousal privilege.

Motion of responding party for an order sealing the declarations of Sullivan and Armstrong, granted; said declarations are sealed for this proceeding only.

STAY OF EXECUTION IS GRANTED FOR TEN DAYS.

Counsel for moving party to prepare an order including a protective order...

Subject to protective order

MINUTES ENTERED

Date DEC. 12, 1986

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

HONORABLE G BRECKENRIDGE, JR JUDGE

Deputy Sheriff

NONE

Court Attendant

R HART

NONE

, Deputy Clerk

Reporter

(Parties and counsel checked if present)

C420153

GERALD ARMSTRONG,

Counsel for

X-- Plaintiff

VS

Counsel for

X-- Defendant

CHURCH OF SCIENTOLOGY OF CALIFORNIA,

NATURE OF PROCEEDINGS: ORDER

The Clerk having this date had conversations with counsel for cross-defendant, John G. Peterson, the Court finds that the document entitled "Mutual Release of All Claims and Settlement Agreement" referred to in the Joint Stipulation of dismissal as and executed copy and referred to in the Order Dismissing Action as an executed duplicated original, has not been filed with the court.

Good cause appearing therefor, the Court orders that the County Clerk may maintain the remaining six (6) exhibits in the normal and regular manner of handling sealed exhibits.

5 Dec 86

MUTUAL RELEASE AGREEMENT

1. This MUTUAL RELEASE AGREEMENT is made and entered into this 5 day of December, 1986 by and between [redacted] and the Church of Scientology of California.

2. This is a release of the Church of Scientology of California, the Church of Scientology International, The Religious Technology Center, Author Services, Inc., and their officers, agents, representatives, employees, volunteers, directors, successors, assigns and legal counsel, L. Ron Hubbard, his heirs, estate, and his executor, Author's Family Trust, Mary Sue Hubbard, all Scientology organizations and entities and their officers, agents, employees, servants, directors, successors, assigns and legal counsel (all hereinafter collectively referred to as the "releasees").

3. It is understood that this settlement is a compromise of doubtful and disputed claims, and is not an admission of liability on the part of any party to this Agreement, specifically, the Church of Scientology of California, any other Scientology organization or entity, or any of their officers, agents, employees, servants, directors, successors, members, assigns, or legal counsel, by whom liability has been and continues to be expressly denied. In executing this settlement Agreement, [redacted] acknowledges that he has released the organizations, individuals and entities listed in Paragraph 2 because, among other reasons, they are third party

A. That liability for any claims is expressly denied by each party herein released, and this Agreement shall never be treated as an admission of liability or responsibility at any time for any purpose.

B. Each party agrees to assume responsibility for the payment of any attorneys' fees, lien or liens, imposed against him in the past, present, or future, known or unknown, by any person, firm, corporation or governmental entity or agency as a result of, or growing out of any of the matters referred to in this release. Each party further agrees to hold harmless the parties herein released, and each of them, of and from any liability arising therefrom.

C. [redacted] has been fully advised and understands that any alleged injuries sustained by him are of such character that the full extent and type of injuries may not be known at the date hereof, and it is further understood that said alleged injuries, whether known or unknown at the date hereof, might possibly become progressively worse and that as a result, damages may be sustained by [redacted] nevertheless, [redacted] desires this document to forever and fully release the releasees.

[redacted] understands that by the execution of this release no claims arising out of his experience with, or actions by, the releasees, from the beginning of time to and including the date hereof, which may now exist or which may exist in the future, may be asserted by him or on his behalf, against the releasees.

D. [redacted] agrees never to create or publish or attempt to publish, and/or assist another to create for publication by

writing, or to broadcast, or to assist another to create, write, film or video tape or audio tape, any show, program or movie, concerning his experiences with the Church of Scientology, or personal or indirectly acquired knowledge or information concerning the Church of Scientology, L. Ron Hubbard, or any entities and individuals listed in Paragraph 2 above. [REDACTED]

[REDACTED] further agrees that he will maintain strict confidentiality and silence with respect to his experiences with the Church of Scientology and any knowledge or information he may have concerning the Church of Scientology, L. Ron Hubbard, or any of the organizations, individuals and entities listed in Paragraph 2 above. [REDACTED] expressly understands that the non-disclosure provisions of this subparagraph shall apply, inter alia, but not be limited to, the contents or substance of any documents as defined in Appendix "A" to this Agreement, including but not limited to any tapes, films, photographs, recastings, variations or copies of any such materials which concern or relate to the religion of Scientology, L. Ron Hubbard, or any of the organizations, individuals, or entities listed in Paragraph 2 above. [REDACTED] agrees that if the terms of this paragraph are breached by him, that the aggrieved party listed herein above would be entitled to liquidated damages in the amount of \$50,000 for each such breach. The reasonableness of the amount of such damages are hereto acknowledged by [REDACTED]

[REDACTED] agrees to return to the Church of Scientology of California at the time of the consummation of this Agreement,



all materials in his possession, custody or control of any nature, including documents as defined in Appendix "A" to this Agreement, including but not limited to any tapes, films, photographs, recastings, variations or copies of any such materials which concern or relate to the religion of Scientology or any of the persons or entities listed in Paragraph 2 above, all evidence of any nature acquired for the purposes of any lawsuit or acquired for any other purpose concerning any Church of Scientology, any financial or administrative materials relating personally to L. Ron Hubbard, his family, or his estate.

F. [REDACTED] agrees that he will never again seek or obtain spiritual counseling or training or any other service from any Church of Scientology, Scientologist, Dianetics or Scientology auditor, Scientology minister, Mission of Scientology, Scientology organization or affiliated organization.

G. [REDACTED] agrees that he will not voluntarily assist or cooperate with any person adverse to Scientology in any proceeding against any of the Scientology organizations, individuals, or entities listed in Paragraph 2 above. [REDACTED] also agrees that he will not cooperate in any manner with any organizations aligned against Scientology.

H. [REDACTED] agrees not to testify or otherwise participate in any other judicial, administrative or legislative proceeding adverse to Scientology or any of the Scientology Churches, individuals or entities listed in Paragraph 2 above unless compelled to do so by lawful subpoena or other lawful

agrees not to discuss this litigation with anyone other than members of his immediate family. [REDACTED] shall not make himself amenable to service of any such subpoena in a manner which invalidates the intent of this provision. As provided hereinafter in Paragraph 21, the contents of this Agreement may not be disclosed.

I, [REDACTED] hereby acknowledges and affirms that he is not under the influence of any drug, narcotic, alcohol or other mind-influencing substance, condition or ailment such that his ability to fully understand the meaning of this Agreement and the significance thereof is adversely affected.

7. This Release Agreement contains the entire Agreement between the parties hereto, and the terms of this Release are contractual and not a mere recital. This Release may be amended only by a written instrument executed by the undersigned. The parties hereto have carefully read and understand the contents of this Release Agreement and sign the same of their own free will, and it is the intention of the parties to be legally bound hereby. No other prior or contemporaneous agreements, oral or written, respecting such matters, which are not specifically incorporated herein shall be deemed to in any way exist or bind any of the parties hereto.

8. [REDACTED] agrees that he will not assist or advise anyone, including partnerships, associations or corporations, contemplating any claim or engaged in litigation or involved in or contemplating any activity adverse to the interests of any entity or class of persons listed above in Paragraph 2 of this

9. Each party shall bear its respective costs with respect to the negotiation and drafting of this Agreement and all acts required by the terms hereof to be undertaken and performed by any party.

10. The parties to this Agreement acknowledge that all parties enter into this Agreement freely, voluntarily, knowingly and willingly, without any threats, intimidation or pressure of any kind whatsoever and voluntarily execute this Agreement of their own free will.

11. To the extent that this Agreement inures to the benefit of persons or entities not signatories hereto, this Agreement is hereby declared to be made for their respective benefits and uses.

12. The parties shall execute and deliver all documents and perform all further acts that may be reasonably necessary to effectuate the provisions of this Agreement.

13. This Agreement shall not be construed against the party preparing it, but shall be construed as if both parties prepared this Agreement. This Agreement shall be construed and enforced in accordance with the laws of the State of California.

14. In the event any provision hereof is unenforceable, such provision shall not affect the enforceability of any other provision hereof.

15. Each party warrants that it has received independent legal advice from its attorneys with respect to the advisability of making the settlement provided for herein and in executing this Agreement.

16. The parties

parties have conducted sufficient deliberation and investigation, either personally or through other sources of their own choosing, and have obtained advice of counsel regarding the terms and conditions set forth herein, so that they may intelligently exercise their own judgment in deciding whether or not to execute this Agreement.

17. The parties hereto (including any officer, agent, employee, representative or attorney of or for any party) acknowledge that they have not made any statement, representation or promise to the other party regarding any fact material to this Agreement except as expressly set forth herein. Furthermore, except as expressly stated in this Agreement, the parties in executing this Agreement do not rely upon any statement, representation or promise by the other party or of any officer, agent, employee, representative or attorney for the other party.

18. The parties to this Agreement agree that all parties have carefully read this Agreement and understand the contents thereof and that each reference in this Agreement to any party includes successors, assigns, principals, agents and employees thereof.

19. All references to the plural shall include the singular and all references to the singular shall include the plural. All references to gender shall include both the masculine and feminine.

20. Each party warrants that the persons signing this Agreement have the full right and authority to enter into this


21. The parties hereto and their respective attorneys each agree not to disclose the contents of this executed Agreement.

22. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be a duplicate original, but all of which, together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, on the date opposite their names.

Dated: \_\_\_\_\_

APPROVED AS TO FORM AND  
CONTENT

  
\_\_\_\_\_  
MICHAEL J. FLYNN  
Attorney for  
\_\_\_\_\_

Dated: 12/5/76

CHURCH OF SCIENTOLOGY  
OF CALIFORNIA

By: Kathleen Brown

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

GERALD ARMSTRONG,  
Cross-Complainant,  
v.  
CHURCH OF SCIENTOLOGY OF  
CALIFORNIA, a California  
Corporation,  
Cross-Defendant.

No. C 420 153  
(Severed Action)

ORDER DISMISSING ACTION  
WITH PREJUDICE

ORIGINAL FILED  
DEC 11 1986  
COUNTY CLERK

Upon consideration of the parties' stipulation for  
Dismissal, the "Mutual release of All Claims and Settlement  
Agreement" and the entire record herein, it is

ORDERED AND ADJUDGED:

1. That this action is dismissed with prejudice.
2. That an executed duplicate original of the  
parties' "Mutual Release of All Claims and Settlement Agreement"  
filed herein under seal shall be retained by the Clerk of this  
Court under seal.

Dated: December 11, 1986

51 PAUL G. BRECKENRIDGE, JR.  
Hon. Paul G. Breckenridge



U.S. Department of Justice

FILED

MAR 1 1988

FRANK S. ZOLIN County C

*Rosie M. Hart*  
BY ROSIE M. HART, DEPUTY

RECEIVED

Washington, D.C. 20530

RGreenberg:bnh

'88 MAR -3 P3:12

Telephone:

(202) 633-3527

EXPRESS MAIL

ASST. CLERK  
CLERK ASST EXEC OFFICER

MAR 2 1988

Mr. R. Acosta  
Clerk  
Superior Court for  
Los Angeles County  
111 North Hill Street  
Los Angeles, California 90012

Re: Copies of Documents released by Order in Church  
of Scientology of California v. Gerald Armstrong,  
No. C. 420153 (Super. Ct. Cal.)

Dear Mr. Acosta:

By Order issued by Superior Court Judge Paul Breckenridge on or about February 22, 1985, access to documents maintained by your office in the above-referenced action was provided to the Department of Justice for use in other litigation that has now been finally resolved. Accordingly, having been reminded of the existence of the documents by a representative of the Church of Scientology, I am returning the documents we received to you for their disposition or destruction in accordance with whatever orders Judge Breckenridge may have issued with respect to the original documents. A copy of the order authorizing our access to the documents is affixed to the envelope holding the documents. For reference, I am also enclosing a copy of a declaration which I executed advising the Church of Scientology's representative of my handling of this matter.

Thank you for your assistance in this matter. If you have any questions regarding this matter, please do not hesitate to contact me or Ms. Anne Gulyassy at the phone number noted above.

Sincerely,

RICHARD E. GREENBERG  
Assistant Branch Director  
Federal Programs Branch  
Civil Division

Enclosures

cc: Kendrick Moxon  
Bowles & Moxon  
6535 Wilshire Blvd.  
Second Floor  
Los Angeles, CA 90048



SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA, )  
Plaintiff, )

v. )

No. C 420153

GERALD ARMSTRONG, )  
Defendant. )

\_\_\_\_\_  
MARY SUE HUBBARD, )  
Intervenor. )

DECLARATION OF RICHARD GREENBERG

1. I am an Assistant Director in the Federal Programs Branch of the Civil Division of the Department of Justice. I have held this supervisory position for approximately two years. The statements set forth in this declaration are based upon personal knowledge.

2. Prior to my promotion to my current position, I was one of the lead attorneys responsible for conducting the defense of the federal agencies named as defendants in Founding Church of Scientology of Washington, et al., v. Director, Federal Bureau of Investigation, et al., C.A. No. 78-0107 (D.D.C., dismissed April 9, 1985), aff'd, 802 F.2d 1448 (D.C. Cir. 1986). A petition for certiorari was subsequently denied by the Supreme Court.

3. To assist our defense in the Founding Church litigation, the United States petitioned and was granted, after substantial litigation, access to six identified documents maintained by the Clerk of the Superior Court for the County of

Los Angeles which were the subject of Church of Scientology of California v. Gerald Armstrong, No. C 420153. The order granting access was entered on or about February 27, 1985.

4. These documents were sent to me by the Clerk of the Superior Court by Purolator Courier. Upon receipt, the documents were examined by Department of Justice counsel assigned to this matter and then immediately stored for later use. No copies of the documents have ever been made. Nor have I or anyone else working on the case made any notes regarding the documents.

5. After examining the documents on the day of receipt, the documents were then placed in storage. More specifically, the documents were placed in a sealed envelope which was prominently marked "DO NOT OPEN," and "THESE DOCUMENTS ARE SUBJECT TO PROTECTIVE ORDER." Attached to the envelope was a copy of the Superior Court's Order granting access to the documents. The envelope was then placed in a second envelope which was also sealed.

6. The double-sealed envelope was then placed in a locked file cabinet. The file cabinet was maintained in a separate storage room which was also locked at all times. The security measures for the documents were comparable to the measures routinely taken for the handling of classified documents.

7. On March 1, 1988, I reviewed a brief filed by the Church of Scientology in the California Court of Appeals which opposed the United States' motion to dismiss the Church's appeal of Judge Breckinridge's Order granting access to certain

documents discussed above. I immediately retrieved the documents at issue, noted that the seals on the envelopes remained unopened, and then sent the documents to the Clerk of the Superior Court of Los Angeles County by Express Mail. A copy of the cover letter sent to the Clerk of the Court is attached.

8. As the foregoing indicates, the United States no longer has possession of the documents that are the subject of Judge Breckenridge's Order, has no copies of the documents and has no notes regarding the contents of the documents.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

  
RICHARD GREENBERG

Dated: 3/2/88

LOS ANGELES COUNTY CLERK  
AND  
EXECUTIVE OFFICER OF THE SUPERIOR COURT

FRANK S. ZOLIN  
COUNTY CLERK EXECUTIVE OFFICER

111 NORTH HILL STREET  
MAILING ADDRESS PO BOX 151  
LOS ANGELES, CALIFORNIA 90053

(213) 974-5104

RAULA A. ACOSTA  
ASSISTANT COUNTY CLERK

ERIC D. WEBBER  
ASSISTANT EXECUTIVE OFFICER

September 18, 1985

Mr. Richard Greenberg  
Department of Justice  
Civil Division  
Room 3638  
Tenth & Pennsylvania Ave., N.W.  
Washington, D.C. 20530

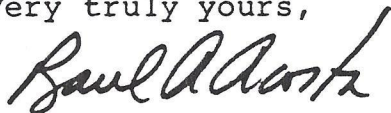
RE: CHURCH OF SCIENTOLOGY OF CALIFORNIA, VS. ARMSTRONG  
Case No. C 420153

Dear Mr. Greenberg:

Enclosed are the copies of those certain exhibits authorized released to the United States Department of Justice by Judge Breckenridge's order dated February 25, 1985.

Again, my thanks for your patience and understanding in trying to resolve this complex matter.

Very truly yours,



Raul A. Acosta  
Assistant County Clerk

RAA:mv

Enclosures

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

FILED

MAR 14, 1988

FRANK S. ZOLIN  
A-2 cwelo  
BY A MEMBER

(4)

Church of SCIENTOLOGY of  
CALIFORNIA

Plaintiffs

vs

GERALD ARMSTRONG,  
AND RELATED CROSS-ACTION Defendants

NO. C420153

RECEIPT OF EXHIBITS

Pursuant to ~~Stipulation~~ <sup>Minute</sup> and Order of Court filed <sup>date</sup> 3-11-88.

Exhibits designated (Copies) No. 500-QQQQ, 500-KKKKK,  
500-LLLL, 500-00000, 500-PPPPP, and 500-QQQQQ

RETURNED IN SEALED ENVELOPE FROM U.S. DEPT. OF JUSTICE

are now withdrawn and received by me 14 MARCH, 1988.

C. B.

TIMOTHY BOWLER  
ATTORNEY FOR PLAINTIFF

CALIF. BAR LICENSE NO. U6004292

GPgMO 4377

26.11.79

*Cancelled*

PGM SUP: MPC WW

US  
NR  
SS  
W

LAVENDA VAN SCHAIK - PRODUCTION PLAN

*[Handwritten initials]*

GOAL:

To successfully handle the Lavenda Van Schaick suit against the Church and thereby remove any threat from this area.

PURPOSE:

To have documents/affidavits/evidences turned over to Legal US in a form so as to be given to an attorney of the Church who can use this data to win the case.

POLICY:

GO 2352 Damages Case: GPgMO 4206 Standard Multi Bureau Handling For Damages Cases.

PLAN:

Lavenda Van Schaick is currently attempting to attack the Church with a law suit which is intended to parallel the Julie Christofferson Titchbourne case in Portland. It appears that the actual source of the attack is Lavenda's husband, Paul Van Schaick. Paul and Lavenda Van Schaick have retained attorney Michael Flynn in order to bring their suit against the Church.

The most recent information received indicates that attorney Flynn may be planning a class action suit against the Church. He has voiced the intention to ruin Scientology and said that he feels that Scientology is evil and out to take over the country.

It is known that Lavenda has a long history of out ethics on the 2D. She has attempted suicide a number of times. She has had sex forced upon her by her husband (Paul Van Schaick) after having an operation. She has been beaten while pregnant by her step father. She has been beaten by her husband.

Exhibit "T"

Documentation is needed by legal to win the condition she is claiming was caused by Ben existed long before she entered the Church. Persons exist who can be located and affidavited on the information they know concerning this matter. This data, will result in a win for the Church. This production plan is to be completed within 3 weeks. The data is needed rapidly into the hands of legal for a win. (This plan cancels and replaces BI targets on GPGMO 4352 Lavonda Van Schnick handling pgs.).

US:

1) Data obtained re the actual involvement of McMurray and other ARM forces so a real estimate of the threat can be made.

DCI US

2) Get Lavonda's pc folder FES'd and a message written from the C/S which indicates her current state of case and the correct BPC on her. Lavonda may have her current pc folder so care must be taken to ensure this is an accurate C/S.

Nat Br2 Dir  
in liaison with:

3) Work out the best way to utilize this and to get the BPC indicated - either by PR or BI

Nat Br2 Dir

4) If adjudicated that BI should handle the indication of BPC to her, get this done in the best possible way (OSV).

MSB can implement if approved.

NAT BR2 DIR

5) Get GPGMO 4206-R done simultaneously with this plan including:

Nat Br2 Dir  
NI Pgs. US

5a) Get all available data (ie. org records) on Lavonda's drug history, medical, psych and suicide history and her own statements of her history; ensure this is documented in a legally useable form.

Nat Br2 Dir

5b) Find out if her 3 abortions were legal.

Nat Br2 Dir

5c) Liaise with Legal and go through the time track with them and work out what statements and data exactly is needed and project out how to get this. (These have to be legally, and directly obtainable on overt lines, and validly useful and

validly useful and viable to obtain). Get this project done.  
(N.B. Only pull the strings as laid out in this plan and those  
worked out by legal. Do not waste resources on useless but  
apparently "interesting" data.)

Nat Br2 Dir

5d) Get pulled the following strings from 6 NOV 79 analysis.

17. re: previous religious affiliations.
18. Stealing treasury keys and possible blackmail.
19. Taking \$2000 from ex-husband and leaving him.

Nat Br2 Dir

5a) Write a project to get interviews done with all strings  
pulled on people who know her in various orgs looking for data  
on outside connections, pressures, possible grounds for black-  
mail of her by others and indications she was being blackmailed.  
All data on thefts, things going missing in her area. (The  
plant indicators so far are - on and off org lines for long  
periods of time, theft of keys, GO/Mission 3P, obsession for  
reading confidential materials, cheques and bookorders going  
missing, looking at CW bank accounts, husband being cop in CW  
area and up and leaving for LV.

Nat Br2 Dir

6) Get this project done.

Nat Br2 Dir

7) Turn all statements over to Legal and PR and any relevant  
data as soon as obtained.

Nat Br2 Dir

8) Review all data and including PR and Legal data, and analyse  
and propose any further handlings in liaison with Legal and PR.

Nat Br2 Dir

9) Have LV lines checked for Lavonda's friends and relatives as  
per tgt 0) of Boston's (Man) targets below.

Nat Br2 Dir

10) Fire a mission to Boston to do the following targets.

(note: The mission does not need to reach any all these targets  
they can utilize MI Ben resources as needed.)



a) Get prediction lines established on Flynn and Lavenda.

b) Flynn is reportedly in comm with CBS 60 minutes National TV. This is by survey the most watched pgs by judges. This needs to be verified and the appearance short circuited.

c) Get surveys done for buttons re Flynn and Paul and their sen. and their own and Lavenda's own buttons (per standard handling) and propose observations.

d) It is possible Paul intends to push Lavenda to sue, collect damages and then have her put away so he can resume relations with his ex-wife. Lavenda's buttons should be established. An observation could be made to see if anyone is asserting this to her.

e) If Paul and Flynn were depowered, the suit would be dropped, so propose observations with regard to this and when OK'd implement handlings.

f) A handling pgs written and completed to verify the split between Paul and Lavenda and their atty, Michael Flynn (to include surveys of the atty, buttons, etc).

g) A handling proposal for Lavenda to verify her abilities w/ her husband, Paul (to include surveys, buttons, etc).

h) Get observations ordered by US Sec surveyed and CSW'd upheld and handlings implemented on approval.

i) Current data collection as to what psychiatrist she may be seeing, data collected upon him and a means worked out to D/A him. ie. if he has written psychiatric articles, how these are really wrong, etc.

ii) Find out what treatment she is getting.

j) Investigation completed on atty Michael Flynn with proposed handling.

k) Persons involved in financing the suit located and handling proposed.

l) Documented damage to Lavenda based on violent acts committed against her (to include information from medical journals, doctors, and psychologists).

m) Determine Lavenda's support system and how to maintain it.

n) All persons involved in the suit listed and handling proposed (including supporters, additional plaintiffs, etc).

o) Find out who are her friends and relatives that might be friendly to our cause and establish a PR Comm line with them (BI could get the data). We want their assistance in coming with her and showing her that others are taking advantage of her by pushing her into a suit for their own personal gain.

p) Propose any further observations and on OK implement handlings.

q) Keep Legal and PR informed of any relevant data and developments. Ensure all data is turned over to Nat Br2 Dir.

r) Debrief and turn mission data over to Nat Sec, PR and Legal as applicable.

s) Find out what disaffecteds, psychs, AMU, government terminals are involved in the case.

---

DGI US

FLAG:

- 1) Completed survey on Maureen Van Schiack for L/II buttons.

AG I FLAG

- 2) Documentation obtained on LaVonda's arrest in St. Petersburg, Florida in 1972.

AG I FLAG

- 3) All persons involved with LaVonda interviewed and affidavited for all useable data.

AG I FLAG

DENVER:

- 1) Affidavits/medical statements concerning LaVonda's condition and medical treatment received, while in Colorado.

AG I DVR

NEW YORK:

- 1) Ward Wilbur located and affidavited for useful data in handling LaVonda.

AG I NY

GLA:

- 1) LaVonda's doctors located and statements/affidavits obtained concerning her condition and medical treatment.

AG I GLA

LAS VEGAS:

- 1) LaVonda Van Schaick string pulling program written and all strings pulled. This to include all persons involved with LaVonda interviewed and affidavited for useable data.

AG I LV

US:

- 1) Useable data to view the Van Schiack case turned over to Loyd US.

AG I US

2) Handling proposals done as needed, based on any turn of events or new data.

NE SEC BI US

3) Any other actions necessary to bring about a Legal win done as needed.

NE SEC BI US

PRODUCTION TARGET:

This production plan is to be completed within three weeks.

PROGRAMS:

Programs to be done as ordered in the Plan.

PROJECTS:

As needed to get program targets done.

IDEAL SCENE:

Sufficient data collected and handlings completed resulting in a win on the Lavenda Van Schaick suit.

STAT:

As stated in GO 2175

VALUABLE FINAL PRODUCT:

A win on the Lavenda Van Schaick suit resulting in no further threat to the Church.

Date JULY 2, 1985

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

HONORABLE P G BRECKENRIDGE, JR JUDGE  
Deputy Sheriff  
Court Attendant

R HART  
NONE  
(Parties and counsel checked if present)

Deputy Clerk  
Reporter

VERI. "C/S-11"  
Lee II.

LA.

C 420 153  
GERALD ARMSTRONG,

Counsel for  
Cross- Plaintiff

VS

Counsel for  
Cross- Defendant

CHURCH OF SCIENTOLOGY OF  
CALIFORNIA,

RECEIVED  
JUL 03 1985  
Ans'd.....

Page 1 of 2 pages

NATURE OF PROCEEDINGS:

MOTION OF CROSS-COMPLAINANT FOR ORDER COMPELLING  
PRODUCTION OF DOCUMENTS  
(SUBMITTED MATTER)

In this Discovery matter taken under submission, the Court  
rules as follows:

As to discovery requests, numbers 2, 3, 6, 7 and 10, cross-  
defendant Church is ordered to produce as requested, or make  
available for cross-complainant's inspection within twenty days.  
As to any matter as to which attorney-client or work product  
privilege is claimed, cross-defendant must identify and describe  
each such document for cross-complainant, and submit such  
documents to the Court for an in-camera inspection and ruling on  
privilege, within the same twenty days.

As to item number one, the cross-defendant is ordered to produce  
or make available for inspection within twenty days all matter  
which reflects any statement, or summary of statements of cross-  
complainant. This includes verbatim as well as sum and substance  
type recitals. As to other matters contained in Armstrong's  
pre-clear folders, cross-defendant is ordered to identify and  
describe by date, place, and name of interviewer, each such event,  
and provide same to cross-complainant, and also submit the entire  
folder to the Court for its in-camera inspection, all within  
twenty days.

As to all documents or files which are submitted to the Court  
for in-camera inspection, the Court will not release any part of  
such matters to cross-complainant without having given ten days  
notice to the parties of its intention so to do.

The Court concludes that inasmuch as cross-complainant's case  
has progressed beyond the pleading stage, he is entitled to  
undertake and achieve legitimate discovery. The first amendment  
does not preclude such. The order of this Court does not impinge  
upon the Church's ability to function as such or engage in its  
auditing practices with other members. It only permits the  
cross-complainant to find out his own words or expressions which  
are in possession of the cross-defendant, and permits additional  
discovery should the Court conclude through an in camera  
proceeding that other non-privileged relevant matter exists.

MINUTES ENTERED  
7-2-85

File 7-2-85

SUP COURT OF CALIFORNIA, COUNTY OF LC

ELES

HONORABLE P G BRECKENRIDGE, JR JUDGE  
Deputy Sheriff  
Court Attendant

R HART Deputy Clerk  
NONE Reporter  
(Parties and counsel checked if present)

1B.

C 420 153  
ARMSTRONG

Cross- Counsel for  
Plaintiff

VS

Cross- Counsel for  
Defendant

SCIENTOLOGY

Page 2 of 2 pages

NATURE OF PROCEEDINGS: CONTINUED FROM PAGE 1

Whatever may be the practice of the Church at this time, the Court heard substantial evidence presented at the trial conducted in April and May of 1984 that EC files were not maintained as confidential by the Church during the time when Armstrong was a Scientologist. P.C. files were characterized as "processing files" and the subject of Guardian Order 121669 issued by Mary Sue Hubbard. Consequently, the Court is satisfied that the Priest-Penitent privilege is not applicable and does not preclude discovery by cross-complainant.

TRIAL IS SET FOR SEPTEMBER 29, 1986 at 9 A.M. in Dept. 57.  
MANDATORY SETTLEMENT CONFERENCE is set SEPTEMBER 15 at 9 A.M.  
in Dept. 57; however, such shall be assigned at that time to some Department other than 57.

Within this framework, the parties are ordered to confer and attempt to agree upon cut off dates for other discovery, as well as schedule of events as per existing Superior Court Trial Setting Conference Policy. If the parties cannot reach an agreement as to all such matters within thirty days, the Court upon ex parte application will set a Trial Setting Conference hearing, and make appropriate orders, together with possible sanctions.

A copy of this minute order is mailed to Mrs. Dragojevic, Mr. Randolph and Mr. Peterson, by U. S. Mail.

MINUTES ENTERED  
7-2-85

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA,	)	No. C 420153
	)	
Plaintiff,	)	MEMORANDUM OF
	)	INTENDED DECISION
vs.	)	
GERALD ARMSTRONG,	)	
	)	
Defendant.	)	
<hr/>		
MARY SUE HUBBARD,	)	
	)	
Intervenor.	)	
<hr/>		

In this matter heretofore taken under submission, the Court announces its intended decision as follows:

As to the tort causes of action, plaintiff, and plaintiff in intervention are to take nothing, and defendant is entitled to judgment and costs.

As to the equitable actions, the court finds that neither plaintiff has clean hands, and that at least as of this time, are not entitled to the immediate return of any damages or

6 6

1 received in evidence or marked for identification, unless  
2 specifically ordered sealed<sup>1</sup>, are matters of public record and  
3 shall be available for public inspection or use to the same  
4 extent that any such exhibit would be available in any other  
5 lawsuit. In other words they are to be treated henceforth no  
6 differently than similar exhibits in other cases in Superior  
7 Court. Furthermore, the "inventory list and description," of  
8 materials turned over by Armstrong's attorneys to the court,  
9 shall not be considered or deemed to be confidential, private,  
10 or under seal.

11 All other documents or objects presently in the possession  
12 of the clerk (not marked herein as court exhibits) shall be  
13 retained by the clerk, subject to the same orders as are  
14 presently in effect as to sealing and inspection, until such  
15 time as trial court proceedings are concluded as to the severed  
16 cross complaint. For the purposes of this Judgment, conclusion  
17 will occur when any motion for a new trial has been denied, or  
18 the time within such a motion must be brought has expired  
19 without such a motion being made. At that time, all documents  
20 neither received in evidence, nor marked for identification  
21 only, shall be released by the clerk to plaintiff's  
22 representatives. Notwithstanding this order, the parties may  
23  
24

25 1. Exhibits in evidence No. 500-1111, 500-2222, 500-3333, 500-4444,  
26 500-5555, 500-6666, 500-7777, 500-8888, 500-9999, and 500-1000.

27 Exhibits for identification only No. JJJJ; Series  
28 500-DDDD, EEEE, FFFF, GGGG, HHHH, IIII, NNNN-1, OOOO, ZZZZ,  
29 CCCCC, GGGGG, IIIII, KKKKK, LLLLL, OOOOO, PPPPP, QQQQQ, RRRRR,  
30 SSSSS, TTTTT, UUUUU, VVVVV, WWWW, XXXXX, YYYYY, ZZZZZ.



6  
6  
1 at any time by written stipulation filed with the clerk obtain  
2 release of any or all such unused materials.

3 Defendant and his counsel are free to speak or communicate  
4 upon any of Defendant Armstrong's recollections of his life as  
5 a Scientologist or the contents of any exhibit received in  
6 evidence or marked for identification and not specifically  
7 ordered sealed. As to all documents, and other materials held  
8 under seal by the clerk, counsel and the defendant shall remain  
9 subject to the same injunctions as presently exist, at least  
10 until the conclusion of the proceedings on the cross complaint.  
11 However, in any other legal proceedings in which defense  
12 counsel, or any of them, is of record, such counsel shall have  
13 the right to discuss exhibits under seal, or their contents, if  
14 such is reasonably necessary and incidental to the proper  
15 representation of his or her client.

16 Further, if any court of competent jurisdiction orders  
17 defendant or his attorney to testify concerning the fact of any  
18 such exhibit, document, object, or its contents, such testimony  
19 shall be given, and no violation of this order will occur.  
20 Likewise, defendant and his counsel may discuss the contents of  
21 any documents under seal or of any matters as to which this  
22 court has found to be privileged as between the parties hereto,  
23 with any duly constituted Governmental Law Enforcement Agency  
24 or submit any exhibits or declarations thereto concerning such  
25 documents or materials, without violating any order of this  
26 court.

27 ///

28 ///

1 This court will retain jurisdiction to enforce, modify,  
2 alter, or terminate any injunction included within the  
3 Judgment.

4 Counsel for defendant is ordered to prepare, serve, and  
5 file a Judgment on the Complaint and Complaint in Intervention,  
6 and Statement of Decision if timely and properly requested,  
7 consistent with the court's intended decision.

8  
9 Discussion

10 The court has found the facts essentially as set forth in  
11 defendant's trial brief, which as modified, is attached as an  
12 appendix to this memorandum. In addition the court finds that  
13 while working for L.R. Hubbard (hereinafter referred to as  
14 LRH), the defendant also had an informal employer-employee  
15 relationship with plaintiff Church, but had permission and  
16 authority from plaintiffs and LRH to provide Omar Garrison with  
17 every document or object that was made available to Mr.  
18 Garrison, and further, had permission from Omar Garrison to  
19 take and deliver to his attorneys the documents and materials  
20 which were subsequently delivered to them and thenceforth into  
21 the custody of the County Clerk.

22 Plaintiff Church has made out a prima facie case of  
23 conversion (as bailee of the materials), breach of fiduciary  
24 duty and breach of confidence (the defendant, as agent of  
25 plaintiff Church, provided confidential materials to its then employee for  
26 certain specific purposes, which the employee later used for  
27 other purposes to plaintiff's detriment). Plaintiff Mary Jane

6 6  
1 and invasion of privacy (misuse by a person of private matters  
2 entrusted to him for certain specific purposes only).

3 While defendant has asserted various theories of defense,  
4 the basic thrust of his testimony is that he did what he did,  
5 because he believed that his life, physical and mental well  
6 being, as well as that of his wife were threatened because the  
7 organization was aware of what he knew about the life of LRH,  
8 the secret machinations and financial activities of the Church,  
9 and his dedication to the truth. He believed that the only way  
10 he could defend himself, physically as well as from harassing  
11 lawsuits, was to take from Omar Garrison those materials which  
12 would support and corroborate everything that he had been  
13 saying within the Church about LRH and the Church, or refute  
14 the allegations made against him in the April 22 Suppressive  
15 Person Declare. He believed that the only way he could be sure  
16 that the documents would remain secure for his future use was  
17 to send them to his attorneys, and that to protect himself, he  
18 had to go public so as to minimize the risk that LRH, the  
19 Church, or any of their agents would do him physical harm.

20 This conduct if reasonably believed in by defendant and  
21 engaged in by him in good faith, finds support as a defense to  
22 the plaintiff's charges in the Restatements of Agency, Torts,  
23 and case law.

24 Restatement of Agency, Second, provides:

25 Section 231: An agent is privileged to reveal  
26 information confidentially acquired by him in the course  
27 of his agency in the protection of a superior interest of

1 "Section 418: An agent is privileged to protect  
2 interests of his own which are superior to those of the  
3 principal, even though he does so at the expense of the  
4 principal's interest or in disobedience to his orders."

5 **Restatement of torts, Second, section 271:**

6 "One is privileged to commit an act which would  
7 otherwise be a trespass to or a conversion of a chattel in  
8 the possession of another, for the purpose of defending  
9 himself or a third person against the other, under the  
10 same conditions which would afford a privilege to inflict  
11 harmful or offensive contact upon the other for the same  
12 purpose."

13 The Restatement of Torts, Second, section 652a, as well as  
14 case law, make it clear that not all invasions of privacy are  
15 unlawful or tortious. It is only when the invasion is  
16 unreasonable that it becomes actionable. Hence, the trier of  
17 fact must engage in a balancing test, weighing the nature and  
18 extent of the invasion, as against the purported justification  
19 therefore to determine whether in a given case, the particular  
20 invasion or intrusion was unreasonable.

21 In addition the defendant has asserted as a defense the  
22 principal involved in the case of Willig v. Gold, 75  
23 Cal.App.2d, 809, 814, which holds that an agent has a right or  
24 privilege to disclose his principal's dishonest acts to the  
25 party prejudicially affected by them.

26 Plaintiff Church has asserted and obviously has certain  
27 rights arising out of the First Amendment. Thus, the court

6 6

1 merits, accuracy, or truthfulness of Scientology or any of its  
2 precepts as a religion. First Amendment rights, however,  
3 cannot be utilized by the Church or its members, as a sword to  
4 preclude the defendant, whom the Church is suing, from  
5 defending himself. Therefore, the actual practices of the  
6 Church or its members, as it relates to the reasonableness of  
7 the defendant's conduct and his state of mind are relevant,  
8 admissible, and have been considered by the court.

9 As indicated by its factual findings, the court finds the  
10 testimony of Gerald and Jocelyn Armstrong, Laurel Sullivan,  
11 Nancy Dincalcis, Edward Walters, Omar Garrison, Kima Douglas,  
12 and Howard Schomer to be credible, extremely persuasive, and  
13 the defense of privilege or justification established and  
14 corroborated by this evidence. Obviously, there are some  
15 discrepancies or variations in recollections, but these are the  
16 normal problems which arise from lapse of time, or from  
17 different people viewing matters or events from different  
18 perspectives. In all critical and important matters, their  
19 testimony was precise, accurate, and rang true. The picture  
20 painted by these former dedicated Scientologists, all of whom  
21 were intimately involved with LRH, or Mary Jane Hubbard, or of  
22 the Scientology Organization, is on the one hand pathetic, and  
23 on the other, outrageous. Each of these persons literally gave  
24 years of his or her respective life in support of a man  
25 and his ideas. Each has sacrificed a vast and deep  
26 frustration which is incapable of description. Each has broken  
27 with the movement for a variety of reasons, but at the same

1 in its possession his or her most inner thoughts and  
2 confessions, all recorded in "pre-clear (P.C.) folders" or  
3 other security files of the organization, and that the Church  
4 or its minions is fully capable of intimidation or other  
5 physical or psychological abuse if it suits their ends. The  
6 record is replete with evidence of such abuse.

7 In 1970 a police agency of the French Government conducted  
8 an investigation into Scientology and concluded, "this sect,  
9 under the pretext of 'freeing humans' is nothing in reality but  
10 a vast enterprise to extract the maximum amount of money from  
11 its adepts by (use of) pseudo-scientific theories, by (use of)  
12 'auditions' and 'stage settings' (i.e. to create a theatrical  
13 scene') pushed to extremes (a machine to detect lies, its own  
14 particular phraseology : .<sup>6</sup> ), to estrange adepts from their  
15 families and to exercise a kind of blackmail against persons  
16 who do not wish to continue with this sect."<sup>2</sup> From the  
17 evidence presented to this court in 1984, at the very least,  
18 similar conclusions can be drawn. In addition to violating and  
19 abusing its own members civil rights, the organization over the  
20 years with its "Fair Game" doctrine has harassed and abused  
21 those persons not in the Church whom it perceives as enemies.  
22 The organization clearly is schizophrenic and paranoid, and  
23 this bizarre combination seems to be a reflection of its  
24 founder LPH. The evidence portrays a man who has been  
25 virtually a pathological liar when it comes to his history,

26  
27

1 background, and achievements. The writings and documents in  
2 evidence additionally reflect his egoism, greed, avarice, lust  
3 for power, and vindictiveness and aggressiveness against  
4 persons perceived by him to be disloyal or hostile. At the  
5 same time it appears that he is charismatic and highly capable  
6 of motivating, organizing, controlling, manipulating, and  
7 inspiring his adherents. He has been referred to during the  
8 trial as a "genius," a "revered person," a man who was "viewed  
9 by his followers in awe." Obviously, he is and has been a very  
10 complex person, and that complexity is further reflected in his  
11 alter ego, the Church of Scientology. Notwithstanding  
12 protestations to the contrary, this court is satisfied that LRH  
13 runs the Church in all ways through the Sea Organization, his  
14 role of Commodore, and the Commodore's Messengers.<sup>3</sup> He has, of  
15 course, chosen to go into "seclusion," but he maintains contact  
16 and control through the top messengers. Seclusion has its  
17 light and dark side too. It adds to his mystique, and yet  
18 shields him from accountability and subpoena or service of  
19 summons.

20 LRH's wife, Mary Sue Hubbard is also a plaintiff herein.  
21 On the one hand she certainly appeared to be a pathetic  
22 individual. She was forced from her post as Controller,  
23 convicted and imprisoned as a felon, and deserted by her  
24 husband. On the other hand her credibility leaves much to be  
25 desired. She was the only person who was really, really, really

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26  
27 3. See Exhibit K: Flag Order 3729 - 15 September 1978  
"Commodore's Messengers."

1 or knowing any evil. Yet she was the head of the Guardian  
2 Office for years and among other things, authored the infamous  
3 order "GO 121669"<sup>4</sup> which directed culling of supposedly  
4 confidential P.C. files/folders for purposes of internal  
5 security. In her testimony she expressed the feeling that  
6 defendant by delivering the documents, writings, letters to his  
7 attorneys, subjected her to mental rape. The evidence is clear  
8 and the court finds that defendant and Omar Garrison had  
9 permission to utilize these documents for the purpose of  
10 Garrison's proposed biography. The only other persons who were  
11 shown any of the documents were defendant's attorneys, the  
12 Douglasses, the Dincalcis, and apparently some documents  
13 specifically affecting LRH's son "Nibs," were shown to "Nibs."  
14 The Douglasses and Dincalcises were disaffected Scientologists  
15 who had a concern for their own safety and mental security, and  
16 were much in the same situation as defendant. They had not  
17 been declared as suppressive, but Scientology had their P.C.  
18 folders, as well as other confessions, and they were extremely  
19 apprehensive. They did not see very many of the documents, and  
20 it is not entirely clear which they saw. At any rate Mary Sue  
21 Hubbard did not appear to be so much distressed by this fact,  
22 as by the fact that Armstrong had given the documents to  
23 Michael Flynn, whom the Church considered its foremost  
24  
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27

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1 lawyer-enemy.<sup>5</sup> However, just as the plaintiffs have First  
2 Amendment rights, the defendant has a Constitutional right to  
3 an attorney of his own choosing. In legal contemplation the  
4 fact that defendant selected Mr. Flynn rather than some other  
5 lawyer cannot by itself be tortious. In determining whether  
6 the defendant unreasonably invaded Mrs. Hubbard's privacy, the  
7 court is satisfied the invasion was slight, and the reasons and  
8 justification for defendant's conduct manifest. Defendant was  
9 told by Scientology to get an attorney. He was declared an  
10 enemy by the Church. He believed, reasonably, that he was  
11 subject to "fair game." The only way he could defend himself,  
12 his integrity, and his wife was to take that which was  
13 available to him and place it in a safe harbor, to wit, his  
14 lawyer's custody. He may have engaged in overkill, in the  
15 sense that he took voluminous materials, some of which appear  
16 only marginally relevant to his defense. But he was not a  
17 lawyer and cannot be held to that precise standard of judgment.  
18 Further, at the time that he was accumulating the material, he  
19 was terrified and undergoing severe emotional turmoil. The  
20 court is satisfied that he did not unreasonably intrude upon  
21 Mrs. Hubbard's privacy under the circumstances by in effect  
22 simply making his knowledge that of his attorneys. It is, of  
23 course, rather ironic that the person who authorized G.O. order  
24 121669 should complain about an invasion of privacy. The

25  
26 5. "No, I think my emotional distress and upset is the  
27 fact that someone took papers and materials without my  
28 authorization and then gave them to your Mr. Flynn."  
29 Reporter's Transcript, p. 1006.

1 practice of culling supposedly confidential "P.C. folders or  
2 files" to obtain information for purposes of intimidation  
3 and/or harassment is repugnant and outrageous. The Guardian's  
4 Office, which plaintiff headed, was no respecter of anyone's  
5 civil rights, particularly that of privacy. Plaintiff Mary Sue  
6 Hubbard's cause of action for conversion must fail for the same  
7 reason as plaintiff Church. The documents were all together in  
8 Omar Garrison's possession. There was no rational way the  
9 defendant could make any distinction.

10 Insofar as the return of documents is concerned, matters  
11 which are still under seal may have evidentiary value in the  
12 trial of the cross complaint or in other third party  
13 litigation. By the time that proceedings on the cross  
14 complaint are concluded, the court's present feeling is that  
15 those documents or objects not used by that time should be  
16 returned to plaintiff. However, the court will reserve  
17 jurisdiction to reconsider that should circumstances warrant.

18 Dated: June 20, 1984

19 

20 PAUL G. BRECKENRIDGE, JR.  
21 Judge of the Superior Court  
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Appendix

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2  
3 Defendant Armstrong was involved with Scientology from  
4 1969 through 1981, a period spanning 12 years. During that  
5 time he was a dedicated and devoted member who revered the  
6 founder, L. Ron Hubbard. There was little that Defendant  
7 Armstrong would not do for Hubbard or the Organization. He  
8 gave up formal education, one-third of his life, money and  
9 anything he could give in order to further the goals of  
10 Scientology, goals he believed were based upon the truth,  
11 honesty, integrity of Hubbard and the Organization.

12 From 1971 through 1981, Defendant Armstrong was a member  
13 of the Sea Organization, a group of highly trained  
14 scientologists who were considered the upper echelon of the  
15 Scientology organization. During those years he was placed in  
16 various locations, but it was never made clear to him exactly  
17 which Scientology corporation he was working for. Defendant  
18 Armstrong understood that, ultimately, he was working for L.  
19 Ron Hubbard, who controlled all Scientology finances,  
20 personnel, and operations while Defendant was in the Sea  
21 Organization.

22 Beginning in 1979 Defendant Armstrong resided at Gilman  
23 Hot Springs, California, in Hubbard's "Household Unit." The  
24 Household Unit took care of the personal wishes and needs of  
25 Hubbard at many levels. Defendant Armstrong acted as the L.  
26 Ron Hubbard Renovations In-Charge and was responsible for  
27 renovations, decoration, and maintenance of Hubbard's home and  
office at Gilman Hot Springs.

1 In January of 1980 there was an announcement of a possible  
2 raid to be made by the FBI or other law enforcement agencies of  
3 the property. Everyone on the property was required by  
4 Hubbard's representatives, the Commodore's Messengers, to go  
5 through all documents located on the property and "vet" or  
6 destroy anything which showed that Hubbard controlled  
7 Scientology organizations, retained financial control, or was  
8 issuing orders to people at Gilman Hot Springs.

9 A commercial paper shredder was rented and operated day  
10 and night for two weeks to destroy hundreds of thousands of  
11 pages of documents.

12 During the period of shredding, Brenda Black, the  
13 individual responsible for storage of Hubbard's personal  
14 belongings at Gilman Hot Springs, came to Defendant Armstrong  
15 with a box of documents and asked whether they were to be  
16 shredded. Defendant Armstrong reviewed the documents and found  
17 that they consisted of a wide variety of documents including  
18 Hubbard's personal papers, diaries, and other writings from a  
19 time before he started Dianetics in 1950, together with  
20 documents belonging to third persons which had apparently been  
21 stolen by Hubbard or his agents. Defendant Armstrong took the  
22 documents from Ms. Black and placed them in a safe location on  
23 the property. He then searched for and located another twenty  
24 or more boxes containing similar materials, which were poorly  
25 maintained.

26 On January 8, 1980, Defendant Armstrong wrote a petition  
27 to Hubbard requesting his permission to perform the research

1 that Defendant Armstrong had located the subject materials and  
2 lists of a number of activities he wished to perform in  
3 connection with the biography research.

4 Hubbard approved the petition, and Defendant Armstrong  
5 became the L. Ron Hubbard Personal Relations Officer Researcher  
6 (PPRO Res). Defendant claims that this petition and its  
7 approval forms the basis for a contract between Defendant and  
8 Hubbard. Defendant Armstrong's supervisor was then Laurel  
9 Sullivan, L. Ron Hubbard's Personal Public Relations Officer.

10 During the first part of 1980, Defendant Armstrong moved  
11 all of the L. Ron Hubbard Archives materials he had located at  
12 Gilman Hot Springs to an office in the Church of Scientology  
13 Cedars Complex in Los Angeles. These materials comprised  
14 approximately six file cabinets. Defendant Armstrong had  
15 located himself in the Cedars Complex, because he was also  
16 involved in "Mission Corporate Category Sort-Out," a mission to  
17 work out legal strategy. Defendant Armstrong was involved with  
18 this mission until June of 1980.

19 It was also during this early part of 1980 that Hubbard  
20 left the location in Gilman Hot Springs, California, and went  
21 into hiding. Although Defendant Armstrong was advised by  
22 Laurel Sullivan that no one could communicate with Hubbard,  
23 Defendant Armstrong knew that the ability for communication  
24 existed, because he had forwarded materials to Hubbard at his

25  
26 Because of this purported inability to communicate with  
27 Hubbard, Defendant Armstrong's request to purchase biographical

1 to the Commodore's Messenger Organization, the personal  
2 representatives of Hubbard.

3 In June of 1980 Defendant Armstrong became involved in the  
4 selection of a writer for the Hubbard biography. Defendant  
5 Armstrong learned that Hubbard had approved of a biography  
6 proposal prepared by Omar Garrison, a writer who was not a  
7 member of Scientology. Defendant Armstrong had meetings with  
8 Mr. Garrison regarding the writing of the biography and what  
9 documentation and assistance would be made available to him.  
10 As understood by Mr. Garrison, Defendant Armstrong represented  
11 Hubbard in these discussions.

12 Mr. Garrison was advised that the research material he  
13 would have at his disposal were Hubbard's personal archives.  
14 Mr. Garrison would only undertake a writing of the biography if  
15 the materials provided to him were from Hubbard's personal  
16 archives, and only if his manuscript was subject to the  
17 approval of Hubbard himself.

18 In October of 1980 Mr. Garrison came to Los Angeles and  
19 was toured through the Hubbard archives materials that  
20 Defendant Armstrong had assembled up to that time. This was an  
21 important "selling point" in obtaining Mr. Garrison's agreement  
22 to write the biography. On October 30, 1980, an agreement was  
23 entered into between Ralston-Pilot, ncv. F/S/O Omar V.  
24 Garrison, and ABCW/DK Publisher of Scientology, Defendant, for  
25 the writing of a biography of Hubbard.

26 Paragraph 10B of the agreement states that:

27 "Publisher shall use its best efforts to procure

1 research assistant, office supplies and any needed  
2 archival and interview materials in connection with  
3 the writing of the Work."

4 The "research assistant" provided to Mr. Garrison was  
5 Defendant Armstrong.

6 During 1980 Defendant Armstrong exchanged correspondence  
7 with Intervenor regarding the biography project. Following his  
8 approval by Hubbard as biography researcher, Defendant  
9 Armstrong wrote to Intervenor on February 5, 1980, advising her  
10 of the scope of the project. In the letter Defendant stated  
11 that he had found documents which included Hubbard's diary from  
12 his Orient trip, poems, essays from his youth, and several  
13 personal letters, as well as other things.

14 By letter of February 11, 1980, Intervenor responded to  
15 Defendant, acknowledging that he would be carrying out the  
16 duties of Biography Researcher.

17 On October 14, 1980, Defendant Armstrong again wrote to  
18 Intervenor, updating her on "Archives materials" and proposing  
19 certain guidelines for the handling of those materials.

20 It was Intervenor who, in early 1981, ordered certain  
21 biographical materials from "Controller Archives" to be  
22 delivered to Defendant Armstrong. These materials consisted of  
23 several letters written by Hubbard in the 1920's and 1930's,  
24 Hubbard's Boy Scout books and materials, several old Hubbard  
25 several other items.

26  
27 Defendant Armstrong received these materials upon the

1 to her in which Defendant stated, at page 7, that there were  
2 materials in the "Controller Archives" that would be helpful to  
3 him in the biography research.

4 After these materials were delivered to Defendant  
5 Armstrong, Intervenor was removed from her Scientology position  
6 of Controller in 1981, presumably because of her conviction for  
7 the felony of obstruction of justice in connection with the  
8 theft of Scientology documents from various government offices  
9 and agencies in Washington, D.C.

10 During the time Defendant Armstrong worked on the  
11 biography project and acted as Hubbard Archivist, there was  
12 never any mention that he was not to be dealing with Hubbard's  
13 personal documents or that the delivery of those documents to  
14 Mr. Garrison was not authorized.

15 For the first year or more of the Hubbard biography and  
16 archive project, funding came from Hubbard's personal staff  
17 unit at Gilman Hot Springs, California. In early 1981,  
18 however, Defendant Armstrong's supervisor, Laurel Sullivan,  
19 ordered him to request that funding come from what was known as  
20 SEA Org Reserves. Approval for this change in funding came  
21 from the SEA Org Reserves Chief and Watch Dog Committee, the  
22 top Commodores Messenger Organization unit, who were Hubbard's  
23 personal representatives.

24 From November of 1980 through 1981, Defendant Armstrong  
25 worked closely with the Commodores Messenger Organization  
26 into logical categories, copying them and arranging the copies  
27 of the Archives materials into bound volumes. Defendant



1 Mr. Garrison - one for Mr. Garrison and the other to remain i  
2 Hubbard Archives for reference or recopying. Defendant  
3 Armstrong created approximately 400 binders of documents. Th  
4 vast majority of the documents for Mr. Garrison came from  
5 Hubbard's personal Archives, of which Defendant Armstrong was  
6 in charge. Materials which came from other Archives, such as  
7 the Controller Archives, were provided to Defendant Armstrong  
8 by Scientology staff members who had these documents in their  
9 care.

10 It was not until late 1981 that Plaintiff was to provide  
11 person to assist on the biography project by providing Mr.  
12 Garrison with "Guardian Office" materials, otherwise described  
13 as technical materials relating to the operation of  
14 Scientology. The individual appointed for this task was Yang  
15 Young. Controller Archives and Guardian Office Archives had r  
16 connection to the Hubbard Archives, which Defendant Armstrong  
17 created and maintained as Hubbard's personal materials.

18 In addition to the assemblage of Hubbard's Archives,  
19 Defendant Armstrong worked continually on researching and  
20 assembling materials concerning Hubbard by interviewing dozens  
21 of individuals, including Hubbard's living aunt, uncle, and  
22 four cousins. Defendant Armstrong did a geneology study of  
23 Hubbard's family and collected, assembled, and read hundreds o  
24 thousands of pages of documentation in Hubbard's Archives.

25 During 1982 Defendant Armstrong...  
26 Hubbard's honesty and integrity and believed that the  
27 representations he had made about himself in various  
28 publications were truthful. Defendant Armstrong was...  
29

1 Hubbard and was convinced that any information which he  
2 discovered to be unflattering of Hubbard or contradictory to  
3 what Hubbard has said about himself, was a lie being spread by  
4 Hubbard's enemies. Even when Defendant Armstrong located  
5 documents in Hubbard's Archives which indicated that  
6 representations made by Hubbard and the Organization were  
7 untrue, Defendant Armstrong would find some means to "explain  
8 away" the contradictory information.

9 Slowly, however, throughout 1981, Defendant Armstrong  
10 began to see that Hubbard and the Organization had continuously  
11 lied about Hubbard's past, his credentials, and his  
12 accomplishments. Defendant Armstrong believed, in good faith,  
13 that the only means by which Scientology could succeed in what  
14 Defendant Armstrong believed was its goal of creating an  
15 ethical environment on earth, and the only way Hubbard could be  
16 free of his critics, would be for Hubbard and the Organization  
17 to discontinue the lies about Hubbard's past, his credentials,  
18 and accomplishments. Defendant Armstrong resisted any public  
19 relations piece or announcement about Hubbard which the L. Ron  
20 Hubbard Public Relations Bureau proposed for publication which  
21 was not factual. Defendant Armstrong attempted to change and  
22 make accurate the various "about the author" sections in  
23 Scientology books, and further, Defendant rewrote or critiqued  
24 several of these and other publications for the L. Ron Hubbard  
25 Public Relations Bureau and various Scientology organizations.  
26 Defendant Armstrong believed and desired that the Scientology  
27 Organization and its leader discontinue the perpetration of the

1 massive fraud upon the innocent followers of Scientology, and  
2 the public at large.

3 Because of Defendant Armstrong's actions, in late November  
4 of 1981, Defendant was requested to come to Gilman Hot Springs  
5 by Commodore Messenger Organization Executive, Cirrus Slevin.  
6 Defendant Armstrong was ordered to undergo a "security check,"  
7 which involved Defendant Armstrong's interrogation while  
8 connected to a crude Scientology lie detector machine called an  
9 E-meter.

10 The Organization wished to determine what materials  
11 Defendant Armstrong had provided to Omar Garrison. Defendant  
12 Armstrong was struck by the realization that the Organization  
13 would not work with him to correct the numerous fraudulent  
14 representations made to followers of Scientology and the public  
15 about L. Ron Hubbard and the Organization itself. Defendant  
16 Armstrong, who, for twelve years of his life, had placed his  
17 complete and full trust in Mr. and Mrs. Hubbard and the  
18 Scientology Organization, saw that his trust had no meaning and  
19 that the massive frauds perpetrated about Hubbard's past,  
20 credentials, and accomplishments would continue to be spread.

21 Less than three weeks before Defendant Armstrong left  
22 Scientology, he wrote a letter to Cirrus Slevin on November 25,  
23 1981, in which it is clear that his intentions in airing the  
24 inaccuracies, falsehoods, and frauds regarding Hubbard were

25  
26 "If we present inaccuracies, hyperbole  
27 or downright lies as fact or truth, it

1 disproved the man will look, to outsiders  
2 at least, like a charlatan. This is what  
3 I'm trying to prevent and what I've been  
4 working on the past year and a half.

5  
6 "and that is why I said to Norman that  
7 it is up to us to insure that everything  
8 which goes out about LRH is one hundred  
9 percent accurate. That is not to say that  
10 opinions can't be voiced, they can. And  
11 they can contain all the hype you want.  
12 But they should not be construed as facts.  
13 And anything stated as a fact should be  
14 documentable.

15 "we are in a period when  
16 'investigative reporting' is popular, and  
17 when there is relatively easy access to  
18 documentation on a person. We can't delude  
19 ourselves I believe, if we want to gain  
20 public acceptance and cause some betterment  
21 in society, that we can get away with  
22 statements, the validity of which we don't  
23 know.

24 "The real disservice to LRH, and the  
25  
26 that everything he's ever written or said  
27 is one hundred percent accurate and publish

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talking here about biographical or non-technical writings. This only leads, should any of his statements turn out to be inaccurate, to a make-wrong of him, and consequently his technology.

"That's what I'm trying to remedy and prevent.

. . .

"To say that LRH is not capable of hype, errors or lies is certainly <sup>^</sup>sic; not granting him much of a beingness. To continue on with the line that he has never erred nor lied is counterproductive. It is an unreal attitude and too far removed from both the reality and people in general that it would widen public unacceptance.

. . .

". . . That is why I feel the falsities must be corrected, and why we must verify our facts and present them in a favorable light."

The remainder of the letter contains examples of facts about Hubbard which Defendant Armstrong found to be wholly untrue or inaccurate and which were not included in the Hubbards and the Scientology Organization.

In December of 1981 Defendant Armstrong made the decision

1 his commitment to Hubbard and Mr. Garrison in the biography  
2 project, he copied a large quantity of documents, which Mr.  
3 Garrison had requested or which would be useful to him for the  
4 biography. Defendant Armstrong delivered all of this material  
5 to Mr. Garrison the date he left the SEA Organization and kept  
6 nothing in his possession.

7       Thereafter, Defendant Armstrong maintained friendly  
8 relations with Hubbard's representatives by returning to the  
9 Archives office and discussing the various categories of  
10 materials. In fact on February 24, 1982, Defendant Armstrong  
11 wrote to Vaughn Young, regarding certain materials Mr. Young  
12 was unable to locate for Omar Garrison.

13       After this letter was written, Defendant Armstrong went to  
14 the Archives office and located certain materials Mr. Garrison  
15 had wanted which Hubbard representatives claimed they could not  
16 locate.

17       At the time Defendant Armstrong left the SEA Organization,  
18 he was disappointed with Scientology and Hubbard, and also felt  
19 deceived by them. However, Defendant Armstrong felt he had no  
20 enemies and felt no ill will toward anyone in the Organization  
21 or Hubbard, but still believed that a truthful biography should  
22 be written.

23       After leaving the SEA Organization, Defendant ARMstrong  
24 continued to assist Mr. Garrison with the Hubbard biography  
25 project. In the spring of 1982, Defendant Armstrong, at  
26 Garrison's request, transcribed some of his interview tapes,  
27 copied some of the documentation he had, and assembled several  
28 more binders of copied materials. Defendant Armstrong also

1 up shelves for Mr. Garrison for all the biography research  
2 materials, worked on a cross-reference systems, and continued  
3 to do library research for the biography.

4 On February 18, 1982, the Church of Scientology  
5 International issued a "Suppressive Person Declare Gerry  
6 Armstrong," which is an official Scientology document issued  
7 against individuals who are considered as enemies of the  
8 Organization. Said Suppressive Person Declare charged that  
9 Defendant Armstrong had taken an unauthorized leave and that he  
10 was spreading destructive rumors about Senior Scientologists.

11 Defendant Armstrong was unaware of said Suppressive Person  
12 Declare until April of 1982. At that time a revised Declare  
13 was issued on April 22, 1982. Said Declare charged Defendant  
14 Armstrong with 18 different "Crimes and High Crimes and  
15 Suppressive Acts Against the Church." The charges included  
16 theft, juggling accounts, obtaining loans on money under false  
17 pretenses, promulgating false information about the Church,  
18 its founder, and members, and other untruthful allegations  
19 designed to make Defendant Armstrong an appropriate subject of  
20 the Scientology "Fair Game Doctrine." Said Doctrine allows any  
21 suppressive person to be "tricked, cheated, lied to, sued, or  
22 destroyed."

23 The second declare was issued shortly after Defendant  
24 Armstrong attempted to sell photographs of his wedding on board  
25 Hubbard's ship (in which Hubbard appeared, and photographs  
26 belonging to some of his friends, which also included photos of  
27 L.R. Hubbard while in seclusion. Although Defendant Armstrong

1 never received payment or return of his friend's photographs.  
2 When he became aware that the Church had these photographs, he  
3 went to the Organization to request their return. A loud and  
4 boisterous argument ensued, and he eventually was told to leave  
5 the premises and get an attorney.

6 From his extensive knowledge of the covert and  
7 intelligence operations carried out by the Church of  
8 Scientology of California against its enemies (suppressive  
9 persons), Defendant Armstrong became terrified and feared that  
10 his life and the life of his wife were in danger, and he also  
11 feared he would be the target of costly and harassing lawsuits.  
12 In addition, Mr. Garrison became afraid for the security of the  
13 documents and believed that the intelligence network of the  
14 Church of Scientology would break and enter his home to  
15 retrieve them. Thus, Defendant Armstrong made copies of  
16 certain documents for Mr. Garrison and maintained them in a  
17 separate location.

18 It was thereafter, in the summer of 1982, that Defendant  
19 Armstrong asked Mr. Garrison for copies of documents to use in  
20 his defense and sent the documents to his attorneys, Michael  
21 Flynn and Contos & Bunch.

22 After the within suit was filed on August 2, 1982,  
23 Defendant Armstrong was the subject of harassment, including  
24 being followed and surveilled by individuals who admitted  
25  
26 individuals; being struck bodily by a car driven by one of  
27 these individuals; having two attempts made by said individuals



1 automobile accident; having said individuals come onto  
2 Defendant Armstrong's property, spy in his windows, create  
3 disturbances, and upset his neighbors. During trial when it  
4 appeared that Howard Schomer (a former Scientologist) might be  
5 called as a defense witness, the Church engaged in a somewhat  
6 sophisticated effort to suppress his testimony. It is not  
7 clear how the Church became aware of defense intentions to call  
8 Mr. Schomer as a witness, but it is abundantly clear they  
9 sought to entice him back into the fold and prevent his  
10 testimony.

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GERRY ARMSTRONG PROJECT

17 Feb 82

Project information: Gerry Armstrong is a blown SO Member who had access to a lot of sensitive information; he is now disaffected, from what we can see. He is hiding out apparently. He knows the GO has been looking into him, so he has been laying low to avoid this. So we don't know where he is currently and he is expecting us to approach him on a covert line. So this presents the trickiest of problems. It would undoubtedly antagonize him further if any of our investigation efforts became known to him. We still need to know what he's up to.

Project purpose: To obtain a means of predicting Armstrong's activity in such a way that there is no possibility of backlash.

Step 1) The first thing we need to do is to locate him. Those few people who know where he is probably are on the look out for GO inquiries. However, he is going to have to get a job soon to earn a living, by law he must notify the DMV when he moves - he might do this, and there are other things like that which can be checked and which may give us his location once he starts operating in the wog world again. These can be checked once we get his birthday and social security number. These should be available from his personnel records and his treasury records. So the steps would be:

1) Telex Flag and SU to locate his personnel file and to get his ss number from payroll records.

2) Use this data to check DMV, the post office, or any other source to locate him in a way that he would not be aware of it.

Step 2) Go through his files and folders to extract the names of people who knew him and who are still well connected up and completely trustworthy. Interview these people to find out who Gerry's close friends were and to see if he had any relatives in this area (we could then follow up to see if he might be staying with them).

Step 3) Determine which locations would be likely places that Gerry might be staying, assuming that he would be staying with friends or relatives. Check these out, either by physical surveillance or other means, to determine if he's there.

Step 4) Note that Gerry had tried to get OVG to hire him as a researcher after he blew. It could be that he gave a PT address to OVG. This should be checked out by going through the proper people who have a line to OVG to see if this can be done or if he has it.

Step 5) Conditional: If GA has not been located at this point by doing the above steps, then review what has been done and work out further actions that could be done to locate him.

Step 6) Once he is located, determine where he is currently working. This may entail following him to see where he works.

Step 7) Once it is established where he works, see what opportunities might exist there for setting up an inquiry line from an apparent "wog" angle. He might not be expecting that at all.

Step 8) Review his files for people who had a good comline with him and who are no longer on staff, and who would be trustworthy.

Step 9) Once the list of candidates has been selected from step 8 above, do a complete check on these people (discreetly) to see what their current status, interests, attitudes, and other factors are.

Step 10) Using standard and discreet recruitment techniques, interview the trustworthy candidates to see if they can be used as a resource.

50

Step 11) Arrange a suitable cover story and other standard procedures, such as a plausible reason for the resource to be contacting GA, etc.

Step 12) Initiate the comline and procede from there, on that line.

Step 13) Have a PT investigation done on Scott Brown in Phoenix, Arizona. He was running a squirrel group there and may have some sort of group going that could be entered by a public person. This needs to be checked out either via LV GO, or simply by sending a CIA resource to Phoenix for a day or two.

Step 14) Conditional: If it looks like an entrance point can be arranged through Scott Brown in Phoenix, this will have to be separately targetted out and persuaded. Perhaps we could get someone connected up to him in Phoenix who then moves to LA and connects up with the Brown family or Gerry here. That might be sufficiently subtle; GA might not suspect someone from Phoenix as he knows we don't have a GO there.

Step 15) Persue the potential existing line that might be available to us via a trusted GAS who is a writer and who is respected by Gerry. This would require some reach from Gerry, though, as he might be suspicious if this GAS made a big reach for him.

Step 16) If the product has not been achieved at this point, review the steps taken so far and debug or replan as needed.

End.

HUBBARD COMMUNICATIONS OFFICE  
217a Kensington High Street, London W.8

RUSH

July 22nd, 1956

To U.S. ONLY Julia Lewis, Dick Steves, L. Ron Hubbard, Jr.

To England ONLY Association Secretary (Jack Parkhouse)  
Director of Processing (Ann Walker)  
Director of Training (Dennis Stephens)

Staff Auditors, Instructors and Auditors close to Operation only.

TECHNICAL BULLETIN OF 22 JULY 1956

I feel the urge to communicate to you the best news since 1950.

I have whipped the problems of the whole track and memory of the past and can resolve the worst cases we have ever had. That is a huge statement *but* I have solved and can untangle in an intensive the problems of the vacuum and havingness plus memory and health and have just done so. Hence the exuberance.

Also, other auditors can solve these in a case as well. NIBS has just cracked two six-year-standing Black Fives using some of this material and Herbie Parkhouse has had considerable luck with solids.

We are now capable of solving Book One style cases to the extreme level of clear.

No wild burst of enthusiasm is here intended. I have to put the finishing touches on a lot of things and the process is still slow—25 to 75 hours. But I've now done it and seen it done to worse cases than any you've had. And that's fact!

Okay. It's not simple. It requires a minute understanding of Book One. It would take me 50 pages to explain all I've lately found about vacuums. You haven't seen the last of me or of study, but you will have seen the last of unsuccessful cases providing only that we have time and environment in which to audit them.

We can make homo novis. (AND give a grin to those who kept standing around bleating, "Where are the clears?")

We know more about life now than life does—for a fact, since *it* was reaching, we can communicate about the reactions.

The process is concerned with "making it solid" combined with effects. It isn't easy. It is wonderfully complex and delicate. But it *has* been done. And it is being done.

Our cases gained but sometimes slumped. Why? Because an electronic vacuum restimulated on the track after sessions, and robbed the case's havingness.

A vacuum isn't a hole. It's a collapsed bank. Every lifetime bank is collapsed into a vacuum.

The formula is—

1. Run pc on start-change and stop for *hours* until he is under auditor's control, in session and (often) exteriorized.
2. Then run him with commands "What are you looking at?" "Good." "Make it solid."

He will eventually hit a vacuum. (He'd hit it faster on "Recall a can't have" but it's too fast.) Here's the tangle. The vacuum is a super-cold mass or an electric shock. This "drank up" bank electronically (brainwashed him). The energy drunk turned black. Hence black cases. (Does not apply only to black cases however.)

3. Run, interspersed with solids and "objective can't have" on the room, "Tell me an effect object (that drank bank) could *not* have on you," and "Tell me an effect you could have on object." Object may be electrodes or supercold plate or even a supercold glass.

**Caution, handle one vacuum at a time. These vacuums go back for 76 Trillion years. They were the original brainwash thetans did to one another, then psychiatrists (on the whole track) did expertly (modern psychiatrists are punks, modern shock too feeble to do more than restimulate old vacuums).**

**Take the vacuum that comes up running solids, or even "Recall a can't have", whatever it is and solve it as above.**

This is delicate auditing. If you restimulate a vacuum too hard, the whole track groups on it.

**Read Book One. Add vacuums instead of word groupers, use above and you'll probably get through to success. Nibs did and I had given him less than you have here. Of course, he's one of the best auditors in the business, so go easy. And Herbie Parkhouse is no slouch.**

#### CAUTIONARY

This is true—

1. We have created the *permanent* stable clear.
2. In creating him we have a homo novis in the full sense, not just an Operating Thetan.
3. We now know more than life. An oddity indeed!
4. We now know more about psychiatry than psychiatrists. We can brainwash faster than the Russians (20 secs to total amnesia against three years to slightly confused loyalty).
5. We can undo whatever psychiatrists do, even the tougher grade from away back. We can therefore undo a brainwash in 25 to 75 hours.
6. We can create something better than that outlined and promised in Book One.

#### BUT

1. We need to know more and be more accurate than ever before about the time track and auditing. I have not given a thousandth of what I know about this.
2. We have a new game but also new responsibilities amongst men.
3. This data in the wrong hands before we are fully prepared could raise the Devil literally.
4. Because we know more than the Insanity Gang, we're not fighting them.
5. Because we can undo what we do, we must retain a fine moral sense, tougher by far than any of the past.
6. We can create better than in Book One now *only* if we know Book One and know our full subject.

**AND WE DO NOT YET KNOW ALL THE SAFETY PRECAUTION TO BE USED.**

I will be giving this data in full at the Games Congress, Shoreham Hotel, WASHINGTON, D.C., August 31st, to September 3rd, 1956.

The exact regimen of this will be SLP 8 and will include the total picture of separating valences from bodies (which must still be done by the auditor, a formula I now have).

I have given you this data in this bulletin at this time because now I know I know and I want you to share in seeing the surge of vision which will be our future.

L. RON HUBBARD

**P.S. (Actually, contrary to rumor, it *hasn't* all been done before. If it had been, the guy who is saying it has would be clear!)**

*The*  
**Technical Bulletins**  
*of*  
**Dianetics and Scientology**

*by*  
**L. Ron Hubbard**  
FOUNDER OF DIANETICS AND SCIENTOLOGY

Volume  
**II**  
1954-1956

Scientology Publications  
Copenhagen

Los Angeles

IN ALL SUCH CASES OF ARREST FOR THE PRACTICE OF SCIENTOLOGY, THE HASI WILL SEND A REPRESENTATIVE AT ONCE. BUT DO NOT WAIT FOR HIS ARRIVAL TO PLACE THIS SUIT. THE SUIT MUST ALREADY HAVE BEEN FILED WHEN THE HASI ATTORNEY ARRIVES.

In other words, do not, at any moment leave this act unpunished, for, if you do you are harming all other Scientologists in the area. When you are attacked it is your responsibility then to secure from further attack not only yourself but all those who work with you. Cause blue flame to dance on the courthouse roof until everybody has apologized profusely for having dared to become so adventurous as to arrest a Scientologist who, as a minister of the church, was going about his regular duties. As far as the advices of attorneys go that you should not sue, that you should not attack, be aware of the fact that I, myself, in Wichita, Kansas, had the rather interesting experience of discovering that my attorney, employed by me and paid by me, had been for some three months in the employ of the people who were attacking me, and that this attorney had collected some insignificant sum of money after I hired him, by going over to the enemy and acting upon their advices. This actually occurred, so beware of attorneys who tell you not to sue. And I call to your attention the situation of any besieged fortress. If that fortress does not make sallies, does not send forth patrols to attack and harass, and does not utilize itself to make the besieging of it a highly dangerous occupation, that fortress may, and most often does, fall.

The DEFENSE of anything is UNTENABLE. The only way to defend anything is to ATTACK, and if you ever forget that, then you will lose every battle you are ever mixed in, whether it is in terms of personal conversation, public debate, or a court of law. NEVER BE INTERESTED IN CHARGES. DO yourself, much MORE CHARGING, and you will WIN. And the public, seeing that you won, will then have a communication line to the effect that Scientologists WIN. Don't ever let them have any other thought than that Scientology takes all of its objectives.

Another point directly in the interest of keeping the general public to the general public communication line in good odor: it is vitally important that a Scientologist put into action and overtly keep in action Article 4 of the Code: "I pledge myself to punish to the fullest extent of my power anyone misusing or degrading Scientology to harmful ends." The only way you can guarantee that Scientology will not be degraded or misused is to make sure that only those who are trained in it practice it. If you find somebody practicing Scientology who is not qualified, you should give them an opportunity to be formally trained, at their expense, so that they will not abuse and degrade the subject. And you would not take as any substitute for formal training any amount of study.

You would therefore delegate to members of the HASI who are not otherwise certified only those processes mentioned below, and would discourage them from using any other processes. More particularly, if you discovered that some group calling itself "precept processing" had set up and established a series of meetings in your area, you would do all you could to make things interesting for them. In view of the fact that the HASI holds the copyrights for all such material, and that a scientific organization of material can be copyrighted and is therefore owned, the least that could be done to such an area is the placement of a suit against them for using materials of Scientology without authority. Only a member of the HASI or a member of one of the churches affiliated with the HASI has the authority to use this information. The purpose of the

utterly.

A D.Sen. has the power to revoke a certificate below the level of D Sen. but not a D Sen. However, he can even recommend to the CLCS of the HASI that D Sens. be revoked, and so any sincere Scientologist can advise of punishing Scientology. This is

1-30-87

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Plaintiff and Intervenor

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA,

Plaintiff,

vs.

GERALD ARMSTRONG, DOES 1 through  
10, inclusive,

Defendants.

MARY SUE HUBBARD,

Intervenor.

GERALD ARMSTRONG,

Cross-Complainant,

vs.

Cross-Defendants.

**FILED**

JAN 30 1987

FRANK S. ZOLIN, Clerk  
*Rosie M. Hart*  
BY ROSIE M. HART, DEPUTY

*Filed  
File*

Case No. C 400 157

UNOPPOSED MOTION  
TO WITHDRAW MEMORANDUM  
OF INTENDED DECISION



1 Plaintiff and intervenor hereby move the court for an  
2 order withdrawing its memorandum of intended decision, dated  
3 June 20, 1984, statement of decision dated July 20, 1984 and  
4 judgement dated August 10, 1984, voiding said decisions as  
5 legal authority or precedent.

6 As grounds for their motion, movants state:

7 1. On December 18, 1986, the Court of Appeal rendered a  
8 decision dismissing movants' appeal from this court's judgment  
9 of August 10, 1984, on the ground that such judgment was not an  
10 appealable final order. The court made it clear that movants  
11 will have the right to pursue their appeals at the appropriate  
12 time, presumably upon the entry of a consolidated final  
13 judgment by this court. A copy of the Court of Appeal's  
14 decision is attached as Exhibit A hereto.

15 2. Accordingly, this court is presently free to withdraw  
16 its judgment, memorandum of intended decision, and statement of  
17 decision.

18 3. The memorandum of intended decision includes  
19 references to purported past practices of the Church and the  
20 alleged relationship of Mr. Hubbard to the Church. As the  
21 trial court and defendant recognized at trial and defendant  
22 acknowledged in his brief to the Court of Appeal, the evidence  
23 on such matters was introduced exclusively to show defendant's  
24 state of mind. Nevertheless, the court's references to such

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27 4. The movants have retained their right to prosecute

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event that they prevail upon their appeal from this court's August 10, 1984 judgment, which movants intend to reactivate now that the cross-complaint has been dismissed. However, in the interests of judicial economy and in order to terminate this protracted litigation, the movants will forego their appeal and dismiss their remaining damage claims against Armstrong if the court withdraws its Memorandum of Intended Decision.

5. Mr. Armstrong has no objection to the granting of this motion or the signing of the proposed Order submitted herewith. Attached at Exhibit B is a statement of non-opposition executed by Mr. Armstrong's counsel.

WHEREFORE, the motion should be granted.

DATED: January 30, 1987      Respectfully submitted,



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Attorneys for  
Plaintiff and Intervenor

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*Lenske, Lenske & Heller*

A LAW CORPORATION  
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(818) 716-1444

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA, etc.,	)	CASE NO. C 420-153
	)	
Plaintiff,	)	STATEMENT OF NON OPPOSITION TO MOTION TO WITHDRAW MEMORANDUM OF INTENDED DECISION
	)	
vs.	)	
	)	
GERALD ARMSTRONG, et al.,	)	
	)	
	)	
Defendants.	)	Date: Time: Place:

COMES NOW, defendant, GERALD ARMSTRONG, by and through  
his attorney of record, and informs the court that he will

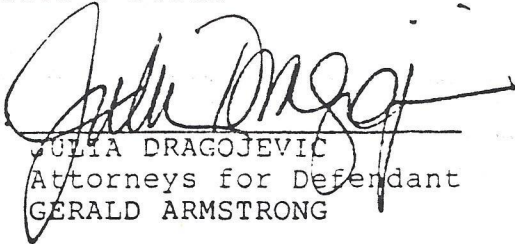
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1 neither file any opposition to the Motion to Withdraw nor  
2 appear to oppose said Motion.

3 DATED: January 30, 1987

4 CONTOS & BUNCH

5  
6 BY



JULIA DRAGOJEVIC  
Attorneys for Defendant  
GERALD ARMSTRONG

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Date FEB. 2, 1987

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

HONORABLE P G BRECKENRIDGE, JR JUDGE  
Deputy Sheriff  
Court Attendant

R HART , Deputy Clerk  
N HARRIS , Reporter  
(Parties and counsel checked if present)

C420153(Sealed file)  
GERALD ARMSTRONG,

Counsel for  
X- Plaintiff

vs

Counsel for MICHAEL LEE HERTZBERG ✓ for  
X-- Defendant X-deft "Church" and intervenor  
M Hubbard

CHURCH OF SCIENTOLOGY  
OF CALIFORNIA,

NATURE OF PROCEEDINGS: EX PARTE MOTION OF CROSS-DEFENDANT TO WITHDRAW  
MEMORANDUM OF INTENDED DECISION

Motion is called for hearing.

Motion is argued and denied.

EXHIBIT P 4

MINUTES ENTERED

1 SAYRE, MORENO, PURCELL & BOUCHER  
2 10866 Wilshire Boulevard  
3 Fourth Floor  
4 Los Angeles, California 90024  
5 (213) 475-0505

6 Attorneys for Plaintiff

7  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES

10  
11 BENT CORYDON, )

12 Plaintiff, )

13 v. )

14 CHURCH OF SCIENTOLOGY )  
15 INTERNATIONAL, INC.; AUTHOR )  
16 SERVICES, INC.; AUTHOR FAMILY )  
17 TRUST; ESTATE OF L. RON )  
18 HUBBARD; HEBER JENTZSCH; )  
19 SHIRLEY YOUNG; DAVID MISCAVIGE; )  
20 TIMOTHY BOWLES; BRAD )  
21 BALLENTINE; WARREN MCSHANE )  
22 and DOES 1 through 100, )  
23 inclusive, )

24 Defendants. )

CASE NO. C 694401

25 THIRD AMENDED COMPLAINT FOR  
26 LIBEL; SLANDER; LIBEL PER SE;  
27 SLANDER PER SE; INTERFERENCE  
28 WITH ECONOMIC ADVANTAGE;  
29 INTERFERENCE WITH CONTRACTUAL  
30 RELATIONS; INTENTIONAL  
31 INFLECTION OF EMOTIONAL  
32 DISTRESS; NEGLIGENT INFLECTION  
33 OF EMOTIONAL DISTRESS

34 Plaintiff BENT CORYDON alleges as follows:

35 1. Plaintiff BENT CORYDON is an individual domiciled in  
36 the State of California, County of Riverside.

37 2. Plaintiff is informed and believes and thereon alleges  
38 that Defendant CHURCH OF SCIENTOLOGY INTERNATIONAL, INC. was at

1 all times herein mentioned, a California corporation duly  
2 authorized to do, and doing, business in the State of California,  
3 County of Los Angeles.  
4

5 3. Plaintiff is informed and believes, and thereon  
6 alleges, that Defendants AUTHOR FAMILY TRUST, ESTATE OF L. RON  
7 HUBBARD and AUTHOR SERVICES, INC., and each of them, are entities  
8 duly formed and operating under the laws of the State of  
9 California conducting business and other activities in the County  
10 of Los Angeles.  
11

12 4. Plaintiff is informed and believes, and thereon  
13 alleges, that Defendants DAVID MISCAVIGE, HEBER JENTZSCH, SHIRLEY  
14 YOUNG and TIMOTHY BOWLES, and each of them, are individuals  
15 operating in the County of Los Angeles as agents, partners,  
16 members or employees of Defendant CHURCH OF SCIENTOLOGY  
17 INTERNATIONAL, INC. (hereinafter referred to as Defendant  
18 "Church").  
19

20 5. The Complaint has previously been amended to name Doe  
21 Defendants 1 and 2 as NORMAN STARKEY and LYMAN SPURLOCK,  
22 respectfully, who shall hereinafter be referred in their real  
23 capacities. An amendment naming Doe No. 3 as BRIDGE  
24 PUBLICATIONS, INC., has been filed concurrently with this  
25 Complaint and BRIDGE PUBLICATIONS shall be deemed named in its  
26 true capacity and is included as one of the Church Defendants.  
27  
///

1           6.    The true names, identities or capacities, whether  
2 individual, associate, corporate or otherwise, of Defendants DOES  
3 3 through 100, are unknown to Plaintiff, who therefore sues said  
4 Defendants by such fictitious names.  When the true names,  
5 identities or capacities of such fictitiously designated  
6 Defendants are ascertained, Plaintiff will seek leave of Court to  
7 amend this Complaint to insert the true names, identities and  
8 capacities, together with the proper supporting charging  
9 allegations.

10  
11           7.    Plaintiff is informed and believes and thereon alleges  
12 that each of the individual Defendants designated as a DOE is a  
13 participant in a conspiracy presently directed by the Managing  
14 Agents of Scientology (as hereinafter defined).  The acts of said  
15 conspiracy continue to the present day.  The conspirators include  
16 the Managing Agents, the several Scientology corporations acting  
17 as a single entity, and various individuals, including, the  
18 individual Defendants.

19  
20           8.    Alternatively, at all times herein mentioned each of  
21 the Defendants, including the DOES, was the agent, servant,  
22 employee, fellow member, associate and/or joint venturer or  
23 conspirator of each of the other remaining Defendants and was at  
24 all times acting within the purpose and scope of said agency.  
25  
26 implied knowledge or consent of the remaining Defendants, and  
27 each of them.  The acts of each Defendant were approved and/or



1 ratified by each other Defendant and, together, constitute a  
2 single course of conduct.  
3

4 9. The business of the CHURCH OF SCIENTOLOGY  
5 INTERNATIONAL, INC. (hereinafter "the Church") and its affiliated  
6 entities as more fully described hereinafter, is the marketing  
7 and selling Dianetics and other the books of L. Ron Hubbard;  
8 profiting from such sales; marketing an extraordinarily expensive  
9 series of courses and counseling sessions by using fraudulent  
10 guarantees of improved intelligence, health and well-being.  
11 Through these counseling sessions, personal secrets are divulged  
12 in a confessional fashion and mind control techniques are  
13 utilized which entrap people into spending even more money on  
14 more courses and auditing, and in many instances, to persuade  
15 them into deserting their families and turn them into drones for  
16 Scientology. Persons who become such drones by joining the staff  
17 of one of the many subordinate organizations of Scientology are  
18 subject to further degradation for failure to meet goals set for  
19 sales of courses, clerical jobs, menial tasks - none of which are  
20 doctrinal in nature. Such degradation includes imprisonment at  
21 secret Scientology facilities, sleep deprivation, food  
22 deprivation and physical punishment, i.e., running around a flag  
23 pole for 10 hours a day.  
24

25  
26 disassociate from it or rebels, the Church uses various  
27 techniques including, but not limited to, threat of disclosure of

1 the privileged information in confessional files to blackmail and  
2 control such traitors pursuant to the Church's fair game policy.  
3

4 11. Plaintiff further alleges that the designation of any  
5 Scientology entity as a church and/or non-profit entity is a sham  
6 and is designed solely to exploit the protections of the First  
7 Amendment, to obtain tax exemptions, to prevent the regulation  
8 of SCIENTOLOGY "counselors" or "counseling techniques" by state  
9 regulatory agencies.  
10

11 12. Prior to his death in 1986, L. Ron Hubbard personally  
12 managed, directly or through subordinates, the entire SCIENTOLOGY  
13 enterprise including Defendants CHURCH, ASI, AUTHOR FAMILY TRUST  
14 and other entities including Religious Technology Centers (RTC),  
15 Scientology Missions International (SMI), etc. His management  
16 design was to ignore the formal structure of the several entities  
17 and to operate them as his personal domain and he did so. The  
18 goal of this management technique was, first and foremost, to  
19 optimize Hubbard's personal income in violation of the  
20 prohibition against personal inurement imposed on institutions  
21 seeking charitable, religious, tax exempt status under  
22 I.R.C. § 501(c).  
23

24 13. This style of management also permits easy to be  
25 followed among entities of the Church's formal structure.  
26 Furthermore, insofar as actual control of the entities were/are  
27 in the hands of an individual who was not within the formal

1 corporate structure, the conduct of affairs of each of the  
2 **several entities could be kept secretive.**

3  
4 14. Subsequent to HUBBARD's death, the control of  
5 **Scientology passed from Hubbard to DAVID MISCAVIGE, NORMAN**  
6 **STARKEY, and LYMAN SPURLOCK (hereinafter sometimes referred to as**  
7 **"Scientology Managing Agents).**

8  
9 15. The corporate defendants, including ASI, shall  
10 hereinafter be referred to jointly as the Church Defendants.

11  
12 16. From the period in or about 1962 until 1986 Plaintiff  
13 was a member of Defendant CHURCH. Plaintiff was duly  
14 indoctrinated into the Defendant CHURCH by regular and active  
15 recruitment techniques which involved claims that the programs  
16 and doctrines offered by Defendant CHURCH would raise his  
17 intelligence quotient to that of genius, prevent illnesses in  
18 participants and other attractive occurrences. Plaintiff paid  
19 substantial consideration to Defendant CHURCH for these programs.

20  
21 17. In or about 1970, Plaintiff, having qualified for and  
22 achieved the highest status of counselor and minister within  
23 Defendant CHURCH, started his own franchise "mission" in  
24 Riverside, California. This mission was purchased and operated  
25 wholly and exclusively by Plaintiff's family and was  
26 operated as an autonomous entity entirely independent of  
27 Defendant CHURCH under the general doctrine of Scientology.

1 18. In or about 1973, said franchise experienced rapid  
2 growth and widespread success. By 1977 said franchise had 180  
3 full-time staff members. At all times, Plaintiff's personal  
4 assets, money and investments were used to support said franchise  
5 enabling it to prosper and grow.

6  
7 19. "Fair Game" is a Defendant CHURCH doctrine and policy  
8 directing that any individual or employee who expresses a lack of  
9 loyalty or a refusal to comply with CHURCH policy or the orders  
10 of any of the Managing Agents or their subordinates is open to  
11 any form of harassment, economic ruin or subject to any covert or  
12 notorious plan purposely designed to cause emotional and physical  
13 harm and/or financial ruin no matter how invasive or despicable  
14 the method employed. This CHURCH doctrine champions the  
15 destruction of an individual's business or reputation, by a  
16 variety of tactics including framing false charges of criminal  
17 acts, intentional interference with business contracts, and with  
18 personal relationships, and other intentional acts.

19  
20 20. In 1981, because of alleged infractions of CHURCH  
21 rules, Plaintiff was coerced by the CHURCH Defendants, acting by  
22 and through certain individual Scientologists, to sign over and  
23 transfer his Riverside franchise to Defendants so as to avoid the  
24 plight of "Fair Game." Plaintiff was not permitted to exercise any  
25 control in Riverside until Defendant [redacted]

26  
27 21. In 1980, while Plaintiff was attempting to prove he had

1 Riverside mission, Plaintiff was arrested and pleaded guilty to  
2 assault charges. Those charges arose when Plaintiff was  
3 investigated in connection with widespread loan fraud by CHURCH  
4 entities.

5  
6 22. In order to obtain or maintain a franchise within  
7 Defendant CHURCH, it is required that the franchisee be free of  
8 any criminal record. Defendant, HEBER JENTZSCH, President of The  
9 Church of Scientology International was present when Plaintiff  
10 personally handed over documents and communicated to  
11 representatives of the Church Defendants that his record had been  
12 wholly expunged for the 1980 charges of assault and his name  
13 wholly cleared. Thereafter, Plaintiff was restored to his  
14 position in the Riverside Mission.

15  
16 23. In 1982, as a result of his growing awareness that  
17 Scientology, the Defendant CHURCH and the Managing Agents were a  
18 fraudulent and violent group, Plaintiff broke away from the  
19 Church of Scientology and led the Riverside Mission to do the  
20 same.

21  
22 24. Subsequent to this breaking away, Hubbard and his  
23 successors, MISCAVIGE, STARKEY and SPURLOCK conspired to  
24 undertake a campaign to harass and defame Plaintiff and to  
25  
26 Sciologos. This conspiracy was commenced when in December 1982,  
27 the CHURCH Defendants ordered certain individuals to sue

1 Plaintiff and others and to claim ownership of the building  
2 belonging to the Church of Sciologos.  
3

4 25. The conspiracy was furthered in late 1985 when, at a  
5 meeting attended by MISCAVIGE, STARKEY and SPURLOCK and other,  
6 DAVID MISCAVIGE ordered that Plaintiff be physically attacked and  
7 his group disrupted.  
8

9 26. This plan was carried out on numerous occasions in 1985  
10 and 1986 when Plaintiff was physically attacked. In February  
11 1986, a high ranking Scientologist named DENNIS CLARK entered the  
12 Church of Sciologos looking for Plaintiff and, when he couldn't  
13 find him, physically attacked another person, Marc Chacon.  
14

15 27. This plan was carried out by repeated invasions into  
16 the Church of Sciologos by Scientologists posing threats to  
17 persons legitimately therein, taking photographs of individuals  
18 whose privacy was intruded on, climbing onto the roof, and by  
19 provoking fights. The most recent of these events occurred in  
20 April 1988.  
21

22 28. In 1985 Plaintiff began writing a book about  
23 Scientology and its founder, L. Ron Hubbard, which was published  
24 in August, 1987 under the title L. Ron Hubbard: Messiah or  
25 Madman? Plaintiff's new church (the Church of the New  
26 SPURLOCK) received information about this from spies planted with  
27 Sciologos, Plaintiff's new church, and from Plaintiff's old

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FIRST CAUSE OF ACTION

(Against All Defendants For Intentional  
Interference With Prospective Economic  
Advantage.)

29. Plaintiff realleges paragraphs 1 through 28, as though fully restated.

30. As Plaintiff's book neared completion, the Defendants' fair game conspiracy plan, as directed by the Managing Agents, was expanded to include the goal of impeding the conclusion of the book, interfering with the publicity surrounding the release of the book, interfering with the dissemination and inducing DeWolf to breach his contract to participate in writing the book. This plan constituted an intentional interference with Plaintiff's prospective economic advantage from his book.

31. In furtherance of this plan, on information and belief, all Defendants, but particularly BRIDGE PUBLICATIONS coerced various bookstore chains, e.g., Waldenbooks into not carrying Plaintiff's book.

32. Pursuant to the conspiracy, on or about August 6, 1988, TIMOTHY BOWLER followed a letter to the San Francisco Times containing instructions regarding the San Francisco Times newspaper from publishing a review of BENT CORYDON's book. His letter stated in pertinent part:

1 "We have evidence that your paper has a deep-  
2 seated bias against the Church and intend to  
3 hit the Church hard with this review. You are  
4 the only even semi-major paper that is  
5 bothering to consider a review of this book.

6 In light of this it is quite apparent and can  
7 be proved that your motives in reviewing this  
8 book are not literary or for putting forth  
9 "news," but are to attack and denigrate the  
10 Church through any vehicle you find available.  
11

12 Corydon's book is so scandalous, full of  
13 lies and unprofessional that no major  
14 publication has touched it. If you forward  
15 one of his lies you will find yourself in  
16 court facing not only libel and slander  
17 charges, but also charges for conspiracy to  
18 violate civil rights. If you publish anything  
19 at all on it, you may still find yourself  
20 defending charges in court in light of what we  
21 know about your intentions. We know a whole  
22 lot more about your institution and motives  
23 than you think."  
24

25 This incident is known to the public and the Church  
26 not cowed by the threat and published this letter alongside its  
27 review of L. Ron Hubbard: Messiah or Madman? However, Plaintiff



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BOWLES and other Defendants to other newspapers and broadcast media to suppress publicity and dissemination of the book.

33. For example, Defendants conspired to prevent Plaintiff from appearing on radio talk shows about his book. Specifically, in order to prevent his appearance on the radio station of Pasadena City College, Shirely Young, president of the church of Scientology-Los Angeles telephoned that radio station and falsely stated that another radio station on which Plaintiff had appeared received a bomb threat because of Plaintiff's appearance. That statement was wholly false.

34. Because threats or lies similar to those described in paragraphs 22 and 34, a television interview by KATV in Portland, Oregon was cancelled as was an interview with KING in Seattle, Oregon. Also, the Portland Oregonian which had considered doing a story on the cancellations, abruptly changed its mind. Plaintiff believes and thereon alleges that these cancellations were all induced by threats made by all Defendants in furtherance of the conspiracy to interfere with Plaintiff's prospective advantage.

35. In furtherance of the conspiracy Defendants conspired to defame Plaintiff and discredit his book calling him a criminal and a liar in various newspapers and magazines and hereinafter alleged.

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36. In furtherance of the conspiracy, Defendants organized ~~Scientologists~~ ~~drones to know in advance the time of radio~~ station interviews so that they could jam the telephone lines and prevent a fair exchange of public reactions to the book.

37. In furtherance of his conspiracy, Defendants entered into a contract with Hubbard's estranged son, Ron DeWolf, who was collaborating with Plaintiff on the book, to breach his contract with Plaintiff and his publisher and to refuse to continue collaborating on the book and to sue the publisher for including his name as a co-author.

38. Each of the acts described in paragraphs 31-37 demonstrate a knowledge of Plaintiff's prospective economic advantage from the publication and sale of his book, and indicate a series of intentional acts designed to interfere with that prospective economic advantage. These acts did cause such interference and damage and were not within any privilege of fair competition. Furthermore, these acts intended to oppress the exercise of the First Amendment rights, not only of Plaintiff, but of the public insofar as it intentionally interfered with the public's "right to know". As such, the conduct of Defendants herein entitles Plaintiff to both compensatory damages, according to proof, and punitive damages.

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SECOND CAUSE OF ACTION

(Against All Defendants for Libel Per Se)

39. Plaintiff realleges paragraphs 1 through 28, 30 and 35 as if fully restated.

40. Pursuant to the conspiracy to interfere with Plaintiffs economic advantage and to defame him, on or about August 5, 1988, Defendant HEBER JENTZSCH, acting as President of the Church of Scientology International, telexed a statement to the St. Petersburg Times that Plaintiff has a criminal record.

41. That statement is untrue, defamatory on its fact, known to be false when published by JENTZSCH, unprivileged, tending to cause harm to plaintiff both personally and professionally and did cause harm.

42. JENTZSCH's statement was intended to oppress and malign Plaintiff as part of the conspiracy hereinabove described.

43. Wherefore, Plaintiff has been damaged in an amount according to proof and is entitled to punitive damages.

THIRD CAUSE OF ACTION

(Against All Defendants for Libel)

44. Plaintiff realleges herein the allegations of

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45. In August of 1987, HEBER JENTZSCH appeared on a CNN broadcast with BENT CORYDON and stated:

"I have here his arrest record for assault with a deadly weapon when he tried to run over a Riverside County Sheriff. Not only that, I mean with this kind of thing going on with freeway attacks right now and people shooting people, this man has a criminal record, I CNN has to put that out there and let people know that he does have a criminal record, I have it right here . . . "

46. The foregoing statement was false when made, known by JENTZSCH to be false, and unprivileged. Further, they falsely charged Plaintiff with having been convicted of a crime and injured him in respect to his profession.

47. JENTZSCH's statement was intended to slander, to malign and oppress Plaintiff pursuant to the above described conspiracy.

48. Wherefore Plaintiff has been damaged in an amount according to proof and is entitled to punitive damages.

FOURTH CAUSE OF ACTION

49. Plaintiff realleges paragraphs 1 through 23, 30 and 35

1 50. On or about August 10, 1987, on a program called  
2 Straight Talk on WOR-NY, Mr. JENTZSCH stated:

3 "First of all, here is a police report where  
4 you [CORYDON] are charged with assault with a  
5 deadly weapon upon a police officer, isn't  
6 that true? . . .

7  
8 "The police report has to do . . . I want it  
9 known the man who is sitting here has a  
10 criminal record. He has a criminal record  
11 that's a court document report there . . . .

12  
13 . . . I want it understood that WOR-TV should  
14 have the responsibility of saying that the  
15 person who makes the accusations does have a  
16 criminal record. And that's not the only  
17 thing . . . "

18  
19 BENT CORYDON: I do not have a criminal  
20 record.

21  
22 JENTZSCH: He's lying."  
23

24 51. The foregoing statements of HEBER JENTZSCH were false,  
25  
26 falsely charged Plaintiff with having been convicted of a crime  
27 and injured him in his profession.

1           52. Mr. JENTZSCH made those statements with an intent to  
2 slander, malign and oppress Plaintiff pursuant to the above-  
3 described conspiracy.  
4

5           53. Wherefore Plaintiff has been damaged in an amount  
6 according to proof and is entitled to punitive damages.  
7

8                                 FIFTH CAUSE OF ACTION

9                                 (Against All Defendants for Invasion of Privacy)  
10

11           54. Plaintiff realleges paragraphs 1 through 28, 30 and 35  
12 as though fully restated.  
13

14           55. Plaintiff had a statutory right to seek an expungement  
15 of his only criminal conviction. He exercised that right and the  
16 record of his arrest and conviction were expunged. Each  
17 Defendant knew of that expungement.  
18

19           56. The history of that arrest and conviction was a matter  
20 of extreme personal sensitivity. Such expungements are intended  
21 to protect a person from unfair labeling as a criminal by society  
22 for a single mistake. The purpose of the expungement therefore  
23 is to preserve as undisclosed a matter of great personal  
24 importance.  
25

26           57. Defendants' knowledge of the expungement was based on  
27 the notice of the expungement given to them by Plaintiff which  
28

1 Riverside Mission since it is Defendant's policy that a person  
2 with a criminal record cannot hold the position of mission  
3 holder. As purported Church authorities with fiduciary duties to  
4 their members, the Church Defendants had a duty not to disclose  
5 such information.

6  
7 58. In addition to Defendants' conspiracy to defame  
8 Plaintiff, Defendants intended to broadcast the very private  
9 information about Plaintiff with the intent to offend and harm  
10 Plaintiff and cause him to extreme emotional distress.

11  
12 59. The public disclosure of these private facts was an  
13 intentional abuse of Defendants' knowledge of private  
14 information; was not of legitimate public concern; and had no  
15 bearing on the credibility of Plaintiff's book, L. Ron Hubbard:  
16 Messiah or Madman?

17  
18 60. Plaintiff suffered an impairment of his peace of mind,  
19 an extreme discomfort more acute than bodily injury and  
20 humiliation, all of which were intended by Defendants  
21

22  
23 61. Therefore, Plaintiff seeks compensatory damages  
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SIXTH CAUSE OF ACTION

(Against All Defendants for Slander)

62. Plaintiff realleges paragraphs 1 through 28, 30 and 35 as though fully restated.

63. On January 8, 1988, SHIRLEY YOUNG appeared as a guest on KSDO-KS 103 FM. Referring to Plaintiff's leadership of the Mission in Riverside before he broke away from Scientology, and under the discretion of the Managing Agents pursuant to the above-described conspiracy, she said:

"Mr. Corydon . . . had turned things around to the point where he was pocketing money of the church. He had his own house constructed. He took individuals that were there to work for the church to come to his house in addition to what they were doing at the Church and build his house . . . (H)e also arranged where he could receive extra finances and they would have other people accept the money for him so he could be in different tax breaks, you know instead of higher taxes . . . He got involved in fraudulent loan applications to various loan places in the Riverside area. He usually conducted this. He indicated that."

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1           64. Said statements were untrue, known to be untrue,  
2 **unprivileged, accused Plaintiff of several crimes and was harmful**  
3 **to Plaintiff in his business and reputation and did cause harm.**  
4

5           65. Said statements were made with the intent to defame,  
6 **malign and oppress Plaintiff.**  
7

8           66. Wherefore Plaintiff has been damaged in an amount  
9 according to proof and is entitled to punitive damages.  
10

11                               SEVENTH CAUSE OF ACTION

12                               (Against All Defendants for

13                               Intentional Interference with Contract)  
14

15           67. Plaintiff alleges paragraphs 1 through 28, 30 and 35 as  
16 **though fully restated herein.**  
17

18           68. In 1986, Defendants knew that Plaintiff had contracted  
19 with Hubbard's estranged son, L. Ron Hubbard, Jr. aka Ron De Wolf  
20 for De Wolf's participation in the writing of Plaintiff's book.  
21

22           69. Pursuant to the conspiracy hereinabove described,  
23 Defendants did induce De Wolf to break that contract and to  
24 refuse further participation in the book and to demand that his  
25 name be removed from the book.  
26

27           70. De Wolf did breach said contract and Plaintiff has been

1 71. Wherefore, Plaintiff seeks compensatory damages in an  
2 amount according to proof and punitive damages.  
3

4 EIGHTH CAUSE OF ACTION

5 (Interference with Prospective Economic Advantage  
6 Against All Defendants Except Timothy Bowles)  
7

8 72. Plaintiff realleges by this reference and incorporates  
9 herein paragraphs 1 through 28 and 30, inclusive, and by this  
10 reference makes them a part hereof.  
11

12 73. As the starting point for the conspiracy described in  
13 paragraphs 24 through 28, above, Defendants planned to steal from  
14 Sciologos those parishioners who indicated their interest in  
15 joining in its separation from the CHURCH. The economic  
16 viability of Sciologos and Plaintiff depended on the income  
17 derived from those parishioners and payments made for services  
18 and courses. Each Defendant had knowledge of the names of the  
19 parishioners and of their relationship with SCIOLOGOS.  
20

21 74. Several meetings were sponsored by Defendants to which  
22 Sciologos parishioners were invited and at which Cross-Defendants  
23 slandered the leadership of Sciologos. This slander included  
24 accusing BENT CORYDON and others of misuing funds belonging to  
25 the Riverdale Mission. This slander was untrue, unprivileged,  
26 unprivileged, known to be untrue, accused Plaintiff of several  
27 crimes, was harmful to Bent Corydon in his profession and/or  
28

1           75. In addition to slandering the Sciologos' leaders,  
2 **Defendants threatened parishioners into defecting from Sciologos.**  
3 One of the threats frequently used was the threat of disclosure  
4 of information from the parishioners' confessional files, which  
5 information which was obtained under the cloak of the  
6 priest/penitent privilege.

7  
8           76. Thereafter, the conspiracy included numerous acts over  
9 a long period of time, up to the present, designed to demean  
10 Sciologos and BENT CORYDON in the community, to impair Sciologos'  
11 economic viability, and to render its building a place in which  
12 people feared for their safety. Such acts include the following:

13           (a) In 1984 Defendants encouraged and required certain  
14 ex-parishioners to file unwarranted lawsuits against Sciologos  
15 for refunds in an effort to deplete its resources and overwhelm  
16 the staff;

17           (b) In 1985 DAVID MISCAVICH put into operation a  
18 standing order to Scientologist co-conspirators and DOES 5  
19 through 50 to physically attack BENT CORYDON and to disrupt  
20 Sciologos' operations;

21           (c) In February 1986, pursuant to the MISCAVICH  
22 standing order, a Scientologist named Dennis Clark entered the  
23 Sciologos building in Riverside and, after starting a loud  
24 argument, attacked one of the staff members of Sciologos. Then,  
25 as he was leaving the parking lot, he deliberately drove the car  
26 towards another member of the Sciologos staff who was recording  
27 the licence plate of the car;

1 (d) On several occasions, persons identified as  
2 **Scientologists, e.g., Patrick Ward, have entered en masse onto the**  
3 Sciologos premises for the purpose of harassing people present  
4 there for legitimate purposes. This harassment was accomplished  
5 by provoking arguments, taking unwanted photographs, opening  
6 private doors, and photographing the occupants in the rooms  
7 thereby opened, and otherwise threatening the security of the  
8 people who utilize the SCIOLOGOS premises. The last of these  
9 events occurred in April 1988;

10 (e) In 1985, BENT CORYDON was assaulted by  
11 Scientologists while standing in a telephone booth near the  
12 Gilman Hot Springs headquarters of Scientology;

13 (f) In 1986, BENT CORYDON was shoved by Scientologists  
14 in the federal courthouse in Los Angeles where he was present to  
15 observe proceedings in Scientology-related litigation.

16  
17 77. As a result of each of the conspiratorial acts  
18 described in paragraphs 24 through 28, 30 and 71 through 75(a)-  
19 (f), the economic relationship between and among Sciologos and  
20 many of its parishioners and its potential parishioners was  
21 destroyed. Consequently, BENT CORYDON has suffered a substantial  
22 loss of income in an amount to be proved.

23  
24 78. Insofar as the acts of the conspiracy were  
25 intentionally designed to injure Plaintiff in his profession, his  
26 rights of free speech and the exercise of his freedom of  
27 religion, Plaintiff also seeks punitive damages.

1           WHEREFORE, Plaintiff prays for judgment against Defendants,  
2 and each of them, as follows:

3           1. General damages in a sum according to proof at time of  
4 trial in excess of the minimum jurisdictional amount of this  
5 Court;

6           2. All statutory damages in a sum in excess of the minimum  
7 jurisdictional amount of this Court;

8           3. All special damages according to proof at time of  
9 trial;

10          4. All exemplary and punitive damages in an amount  
11 according to proof at time of trial;

12          5. For costs of suit and attorney's fees incurred herein;

13          6. For such other and further relief as the court may deem  
14 just and proper.

15  
16 DATED: December 7, 1988.

17 SAYRE, MORENO, PURCELL & BOUCHER

18  
19 

20 FEDERICO C. SAYRE  
21 Attorneys for Plaintiff  
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HUBBARD COMMUNICATIONS OFFICE  
Saint Hill Manor, East Grinstead, Sussex

Remimeo

HCO POLICY LETTER OF 18 OCTOBER 1967

Issue IV

PENALTIES FOR LOWER CONDITIONS

(Applies both Orgs and Sea Org)

- LIABILITY - Suspension of Pay and a dirty grey rag on left arm and day and night confinement to org premises.
- TREASON - Suspension of pay and deprivation of all uniforms and insignia, a black mark on left cheek and confinement on org premises or dismissal from post and debarment from premises.
- DOUBT - Debarment from premises. Not to be employed. Payment of fine amounting to any sum may have cost org. Not to be trained or processed. Not to be communicated or argued with.
- ENEMY - SP Order. Fair game. May be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist. May be tricked, sued or lied to or destroyed.

LRH:jp

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by L. Ron Hubbard

ALL RIGHTS RESERVED

L. RON HUBBARD  
Founder

PROOF OF SERVICE BY MAIL

1  
2 STATE OF CALIFORNIA )  
3 ) ss  
4 COUNTY OF LOS ANGELES )  
\_\_\_\_\_ )

5 I, Evelyn Taylor, am a resident of/employed in  
6 the aforesaid county, State of California. I am over  
7 the age of 18 years and not a party to the within  
8 action. My business/residence address is: 10866  
9 Wilshire Blvd., Fourth Floor, Los Angeles, California  
10 90024.


11 On January 5, 1989, I served the foregoing:  
12 OPPOSITION TO PETITION FOR WRIT OF SUPERSEDAS OR  
13 OTHER STAY ORDER on the interested parties in this  
14 action by placing a true copy thereof, enclosed in a  
15 sealed envelope, addressed as follows:

16 SEE ATTACHED SERVICE LIST

17 By mail I caused such envelope with postage  
18 thereon fully paid to be placed in the United States  
19 mail at Los Angeles, California.

20 I certify under the penalty of perjury under  
21 the laws of the State of California that the  
22 foregoing is true and correct.

23 Executed on January 5, 1989

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